SATISFACTION OF THE SPECIAL EXCEPTION BURDEN OF PROOF

The proposed application fully satisfies the requirements of Section 411.11 of the Zoning Regulations to allow the changes to the existing roof structure, as described herein. The existing roof structure is a legally non-conforming structure. While the proposed renovation will not add to such non-conformity or create its own non-conformity, the staff of the Office of the Zoning Administrator has communicated to the Applicant that relief is required to construct an addition to a non-conforming roof structure. As a result of the conversion to residential use, the proposed addition to the roof structure is required to assure building code compliance. Accordingly, it is impracticable to convert the Building to residential use without changing the existing roof structure.

Further, as noted above, the addition or renovation will not increase the existing non-conformity nor create a new non-conformity. Therefore, the intent and purpose of Section 411 and the Zoning Regulations will not be materially impaired by the proposed changes to the roof structure, and the light and air of adjacent buildings will not be affected adversely.

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