ATTACHMENT D
Statement Explaining How Application Meets the Specific Tests
Identified in the Zoning Regulations

Pursuant to the authority contained in the Zoning Act, we ask the Board to grant us a special exception, as provided in Title 11 DCMR. We hope that you will concur with our belief that the requested special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Maps. Furthermore, we believe that the proposed addition will not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property. In particular, we believe that we meet the special conditions as set forth in subsection 223.2 as follows:

223.2 (a) The light and air available to neighboring properties shall not be unduly affected.

The proposed addition will extend 32 inches beyond the existing rear most part of the building and will not unduly affect the light and air available to either our rear neighbor or our party wall neighbor. Due to the location, grade, and height of our homes relative to the position of the sun at various times of the day, our proposed addition will not unduly affect the amount of light and air our neighbors receive. (Please see Attachment H.)

223.2 (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised.

The proposed addition will contain the same number of windows looking out onto the rear neighbor as currently exists and the windows looking out onto the party wall neighbor will be removed. The party wall neighbor will have more privacy since there will no longer be any windows that can look onto the property. (Please see Attachment H.)

Furthermore, both the rear neighbor and the party wall neighbor have mature trees and evergreen shrubs that enhance privacy and enjoyment of their properties, and which the proposed addition will not unduly affect.

223.2 (c) The proposed addition, together with the original building, as viewed from the street, alley, and other public way, shall not substantially intrude visually upon the character, scale and pattern of houses along the subject Street frontage.

Since the proposed addition will be to the rear of the building, the addition will not be visible from the front of the home (Cleveland Avenue, N.W.). Furthermore, the proposed addition will not be easily visible from the side of the home (from 34th Street, N.W.). Existing

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evergreen shrubs on the adjoining property will help to minimize the visual presence of the proposed addition. Every effort will be made to keep the addition in character with existing homes and seamless with the original structure. We will attempt to match the existing brick as closely as possible.

223.2 (d) Demonstrating compliance with paragraphs (a), (b) and (c) of subsection 223 using graphical representations.

In demonstrating compliance with paragraphs (a), (b) and (c) of subsection 223, we submit architectural drawings and elevations and photographs to represent the relationship of the proposed addition to adjacent buildings and views from public ways. Please see Attachments B and E.

223.3 The lot occupancy of the building, together with the addition, shall not exceed 50%.

The current lot occupancy is 28% and will increase to 31% with the proposed addition.

223.4 Board-required special treatment.

We welcome any requirements by the Board related to special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.

223.5 No introduction or expansion of nonconforming use.

The building is used as an owner-occupied residence. We do not seek to permit an introduction of a nonconforming use.