ATTACHMENT D
STATEMENT OF EXPLAINING HOW THE APPLICATION MEETS THE SPECIFIC TEST IDENTIFIED IN THE ZONING REGULATIONS

Pursuant to the authority contained in the Zoning Act, the owners of the property, Julia A. Jones and Jason A. Pugh ("Applicants") respectfully request that the Zoning Board grant a special exception as provided in Title 11 DCMR. As demonstrated in the below discussion, the special exception requested in this application of a proposed addition will comply with the District of Columbia Zoning Regulations (Rule 223) and Zoning Maps and will not adversely affect the use or enjoyment of any neighboring property.

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

The proposed addition will extend approximately the same distance as the neighbor's addition immediately adjacent to the north of the Applicants' property, and will be built in a westward facing direction. This proposed addition will extend 12 feet 11 inches beyond the existing west facing rear of the Applicants' house. The proposed addition will be the width of the lot to match the existing house. The addition extends the cellar and first floor levels. The addition will include a deck on the roof of the first floor level, aligned with the second floor. The dimensions and location of the proposed addition ensure that it will not unduly affect the light and air available to either of the neighbors on each side of the Applicants' property, neighbors directly behind the property, or any other neighbor within a 200 foot radius. Given the location, grade and height of the homes on the 400 block of S.E.

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in relation to the position of the sun at various times of the day, the proposed addition will not unduly affect the amount of light and air received by any neighbors to the property.

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

The proposed addition will have windows and doors looking out onto only the rear neighbor as currently exists in the Applicants' house. The proposed rear porch on the first floor will replace the current existing porch on the rear of the Applicants' home. The proposed deck to be located on top of the first floor of the proposed addition will not intrude upon the privacy of use or enjoyment of any of the neighbors due to its location. The privacy fence separating Applicants' property from the adjacent neighbors will remain post-construction. The addition will effectively improve privacy between the neighbor immediately south of the Applicants' property by moving the Applicants' porch further west so the two houses' porches are no long directly side by side.

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

The proposed addition will be to the rear of the property, and it will not be visible from the front of the house (429 1st St. S.E.). Existing old-growth trees, privacy fences and the existing addition of the adjacent neighbor will

aid in minimizing the visual presence of the Applicants' proposed addition. The design of the addition is consistent with the character of the existing homes, and will blend almost seamlessly with the original structure. The proposed addition will be brick on all visible sides and all efforts will be made to match to the existing brick.

223.2(d) Demonstrating compliance with paragraphs 223.2(a), (b) and (c).

In demonstrating compliance with paragraphs 223.2(a), (b) and (c), architectural drawings, elevations and photographs are being submitted to illustrate the proposed addition and its relation to adjacent homes and views from public ways. See attachments.

223.3 The lost occupancy of the dwelling shall not exceed seventy percent (70%) in the R-4 District.

The current lot occupancy is 45% and will increase to 69% with the proposed addition.

223.4 Board required specific treatment.

The Applicants welcome any requirements by the Zoning 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 a nonconforming use.

Applicant's home and proposed addition is used as an owner-occupied residence. Applicants do not seek to permit an introduction of a nonconforming use. The proposed addition is necessary to add the much needed living space for the growing family of the Applicants.