

**APPEAL NO. 17285: APPELLANT'S KEY REASONS WHY THE
WALLED PLATFORM STRUCTURE VIOLATES THE ZONING CODE**

1. The Structure violates the core purposes of the Wesley Heights Overlay. 11 DCMR § 1541.
2. The Structure violates the Zoning Code's general prohibition on structures in required yards because at least the bulk of it is a "platform/terrace," not a retaining wall, and because it projects more than 4 feet above grade. 11 DCMR § 2503.1.
3. The Structure violates the Zoning Code's prohibition on structures that occupy more than 50% of any required yard. 11 DCMR § 199.1 (definition of "yard").
4. The Structure violates the Wesley Heights Overlay's 30% lot occupancy limit for any structure. 11 DCMR § 1543.2
5. Even if (contrary to the foregoing) the Structure is only a "retaining wall," it still violates the Zoning Code's prohibition on structures in required yards, 11 DCMR § 2503, because it fails to comply with the Building Code's 7-foot height limit for fences and walls within 10 feet of party lines, 12 DCMR § 3110.1.3.