Application of **Thomas V. Stehle, Owner-Occupant, 1223 Girard St NW Lot 35 Square 2856** for **Special Exception from Section 223.1** for an addition to an existing non-conforming 2-unit flat structure in the R-4 Residential Zone District. (Section 3104.1)

Statement of Existing and Intended Use

The property is located on the north side of Girard St NW between 11th and 13th Streets. The lot is rectangular in shape with a frontage on Girard St. The property is improved with an 1898 brick row dwelling that comprises three stories plus a basement in the front half and two stories plus basement in the rear half. An accessory garage abuts the sixteen feet public alley to the rear of the site.

The structure is now and will remain a two-unit owner-occupied flat for which a Certificate of Occupancy was issued in 1995. The special exception is sought to allow the enclosure of an existing porch.

The area under consideration is currently an unenclosed porch, rebuilt in 1989 in compliance with BZA order #15018 (copy attached.) This porch is on the main level of the house which is one storey above grade in the rear.

The intended use of the addition is as an enclosed room adjoining the current kitchen on the main level and a sun room on the second level.

The proposed addition will have no effect on the condition or use of the basement apartment. The lease-holders of the basement apartment are Amy Blaszyk and Julie Donnelly whose address is 1223 ½ Girard St NW, Washington DC 20009 and whose six-month lease commenced February 1, 2005.

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Case No. 17303
Exhibit No. 3

Board of Zoning Adjustment
District of Columbia
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Statement of Justification for Special Exception from Section 223.1

The 1989 proposal for the existing porch (to be enclosed) was granted an area variance (allowable lot occupancy requirements and minimum width requirements of an open court) application no. 15018 by the Board of Zoning Adjustment, July 13, 1989. The proposed enclosure of the existing porch does not change, expand or exceed the area relief granted.

The proposal is consistent with the general intent of the purpose of the Zoning Regulations and map.

The area surrounding the subject site is predominantly developed with row dwellings in the R-4 District, with several small apartment buildings interspersed throughout the immediate vicinity. The Carlos Rosario International and Public Charter School is located on the northeast corner of the square.

One and two storey rear porches, both open and enclosed, can be found throughout the R-4 District. In the immediate vicinity in the Columbia Heights neighborhood, these additions are common. In the past, the subject property utilized such a two-storey addition, as is evidenced by the condition of the existing north elevation (See photograph # 2.)

The design of the proposed enclosure is consistent with the character and scale of the surrounding buildings, and would enhance the present North elevation which contains an existing door at the second level (See photo #2.) It would also enhance the north elevation of surrounding dwellings.

The allowed use will not adversely affect the use of the neighboring properties.
The modest depth of the proposed enclosure (7' 6") is actually smaller than the depth of the porch immediately adjacent to the East at 1221 Girard St. NW as well as smaller than nearby enclosed additions at both 1219 Girard St NW and 1229 Girard St NW.

In fact, for the last seven years, a solid, nearly one-storey (7'10") high wall has been erected on the property line by the owner of the immediately adjacent property at 1221 Girard St NW (See photos # 3.) Therefore, the view, light and ventilation of this immediately adjacent neighbor would remain substantially unchanged at the main level. On the second level, the normal view from inside the second storey window of the adjacent property would also remain substantially unchanged.

The impact of the enclosure of the porch on the adjacent neighbor to the West would be negligible.

As this two-storey enclosure is north facing, and also substantially below the height of the surrounding three-storey structures, the obstruction of direct sunlight is minimal or negligible.