INTRODUCTION

This is a Statement of Explanation and Reasons supporting the application of Alexander and Trenita Davis, (hereinafter "Applicants") for a special exception under Section 223.1 to reduce the required rear yard from 20 feet to 17 feet under §404.1 to permit a rear addition to a 2-story brick detached house at 7435 8th St. N.W. (Square 3178, Lot 106) in the R-2 Zone District.

DESCRIPTION OF THE APPLICANTS

Mr. and Mrs. Alexander Davis are 83 years old. They have been married 51 years and have lived in the home for over 44 years. Mr. Davis, 83, is a retired federal employee and a disabled American Veteran. Mrs. Davis, 79, is confined to a wheel chair and Mr. Davis has difficulty pulling it up the 23 steps from the sidewalk to the second floor bedroom. A one-story rear bedroom addition at ground level will enable him to park in back off the alley and wheel the wheelchair on grade into the house and into the new bedroom.

THE SUBJECT PROPERTY

A. Location and Description of the Property

The property which is the subject of this Application is located at 7435 8th St. N.W., (Square 3178, Lot 106). It is a 2-story detached single family dwelling. There are 10 steps leading to the front door and another 13 steps up to the second floor bedroom.

B. Area Surrounding the Property

The Property is five doors south of Hemlock and 8th Street, N.W., in an area of single family homes.

C. Zoning History and Use History

The area is zoned R-2. The property is subject to the Zoning regulations generally applicable to buildings in the R-2 Zone District.

REASONS IN SUPPORT OF APPLICATION FOR SPECIAL EXCEPTION

A. No Adverse Effects

Construction of a one-story rear addition will not impose a substantial detriment to the public good and neighbors are supportive of the change requested here. (See attached petition). Our plans, pictures, and testimony will show that there will be no appreciable impact on light and air available to adjacent and nearby properties. Secondly, the privacy of neighbors will not be unduly compromised. Third, the addition as viewed from 8th Street will not substantially visually intrude upon the

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character, scale, and pattern of nearby houses. The addition will be largely invisible from the front and will be architecturally consonant with the main house and other houses in the area.

Finally, the addition will not substantially impair the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

A. Appropriate Residential Use

Several provisions of the Comprehensive Plan Amendment Act of 1998 encourage the goals of this application which is to enable an elderly disabled couple to remain in their house and neighborhood.

(a) Section 306.2 (g) provides as follows

> Work to achieve an adequate supply of suitable housing to meet the needs of elderly residents, continue the tenancy of elderly residents at affordable rates, and include protection of tenancies of elderly residents under laws designed to achieve these ends;

(b) Section 1508.1(b) (of the Ward 4 Plan) states its objective to protect, preserve, maintain and rehabilitate the existing owned and rental housing stock.

(c) Section 1509.1 (b) (2) provides as follows:

> Encourage housing for elderly and handicapped residents through local and federal programs and activities.

(d) Section 1509.3 calls for the provision of "a wider range of housing opportunities for the elderly;" including production of "various types of housing for elderly individuals and households" as a "major priority".

CONCLUSION

The Applicants should be granted a special exception to build an addition in a portion of the required rear yard. Such a use will be in harmony with the purpose and intent of the Zoning Regulations.

Respectfully submitted,

Stephen N. Gell, Esq.