Dickson Carroll, Arch.
3405 Ashley Terr. NW
Wash., D.C. 20008

5/18/05

r.e.- Revised submission to case no. 17353
(scheduled for July 26, :05)

To the Board of Zoning Adjustment:

We are herewith ammending our submission to request a partial third floor addition (sitting room and stairwell) plus smaller deck, in lieu of the stairway penthouse and larger deck initially submitted.

We request approval of the revised submission. (But in the event it is denied, we are leaving the original proposal in the file as a back-up.)

Please note that the site photos may be seen in the first submission packet. The ANC and neighbors contacted will all be shown the revised submission.

Sincerely,

Dickson Carroll

BZA
Case No. 17353
Exhibit No. 21

Board of Zoning Adjustment
District of Columbia
CASE NO. 17353
EXHIBIT NO. 21

Form 120 – Exhibit 1
(Revised 04/29/02)

REVISION TO -
Case No. CASE # 17353

BEFORE THE BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

APPLICATION

Notice: See other side of application form for instructions

Pursuant to Sections §3103.2 - Use Variance, §3103.2 - Area Variance and/or §3104.1 - Special Exception of Title 11 DCMR- Zoning Regulations an application is hereby made, the details of which are as follows:

Address(es)	Square	Lot No(s).	Zoning Districts	Relief Being Sought Area Variance · Use Variance Special Exception	Section No(s).
440 WARNER ST. NW	509	170	R-4	SPEC. EXCEPT. 3104.1	223
"	"	"	"	"	406.1

Present use(s) of Property:	2 UNIT FLAT
Proposed use(s) of Property:	2 UNIT FLAT

Owner of Property:	THOMAS CUTLER	Telephone No:	571-312-7670
Address of Owner:	1530 8TH ST. NW WASH. D.C. 20001		

Written paragraph specifically stating the "who, what, and where of the proposed action(s)". This will serve as the Public Hearing Notice: THOMAS CUTLER, OWNER OF 440 WARNER ST. NW, REQUESTS A SPECIAL EXCEPTION TO ADD TO A NON-CONFORMING STRUCTURE, AND TO OPEN COURT REQUIREMENTS, IN AN R-4 ZONE, TO BUILD A ROOFDECK AND PARTIAL THIRD FLOOR ADDITION. CURRENT LOT OCCUPANCY IS 69.6%; PROPOSED OCCUPANCY IS 69.6% (NO CHANGE)

Estimated construction cost	$ 70,000.	Advisory Neighborhood Commission Single-Member District(s)	2C
Date:	5/18/05	Signature:	Applicant*

* *The Owner of the Property for which the application is made or his/her authorized agent. In the event an authorized agent files an application on the behalf of the Owner, a letter signed by the Owner authorizing the agent to act on his/her behalf shall accompany the notice of application.*

To be notified of hearing and decision:
(Owner or Authorized Agent*)

Name:	DICKSON CARROLL, ARCHITECT				
Address:	3405 ASHLEY TERR. NW				
Phone No.:	202-363-6556	Fax No.:	202-363-3227	E-Mail:	

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

Form 135 - Side 1
(Revised 03/15/02)

Case No. _____

ZONING SELF-CERTIFICATION FORM

Project Address(es)	Square	Lot(s)	Zone District(s)	ANC(s)/Single Member District(s)
440 WARNER ST. NW	509	170	R-4	2C

CERTIFICATION

The undersigned agent hereby certifies that the following zoning relief is required from the Board of Zoning Adjustment in this matter pursuant to:

Relief Sought	☐ §3105.2 - Use Variance	☐ §3103.2 - Area Variance	☑ §3104.1 - Special Exception
Pursuant to Subsections			223. & 406.1

Pursuant to 11 DCMR §3113.2, the undersigned agent certifies that:

(1) the agent is duly licensed to practice law or architecture in the District of Columbia;
(2) the agent is currently in good standing and otherwise entitled to practice law or architecture in the District of Columbia; and
(3) the applicant is entitled to apply for the variance or special exception sought for the reasons stated in the application.

The undersigned agent and owner acknowledge that they are assuming the risk that the owner may require additional or different zoning relief from that which is self-certified in order to obtain, for the above-referenced project, any building permit, certificate of occupancy, or other administrative determination based upon the Zoning Regulations and Map. Any approval of the application by the Board of Zoning Adjustment does not constitute a Board finding that the relief sought is the relief required to obtain such permit, certification, or determination.

The undersigned agent and owner further acknowledge that any person aggrieved by the issuance of any permit, certificate, or determination for which the requested zoning relief is a prerequisite may appeal that permit, certificate, or determination on the grounds that additional or different zoning relief is required.

The undersigned agent and owner hereby hold the District of Columbia Office of Zoning and Department of Consumer and Regulatory Affairs harmless from any liability for failure of the undersigned to seek complete and proper zoning relief from the Board of Zoning Adjustment.

The undersigned owner hereby authorizes the undersigned agent to act on the owner's behalf in this matter.

Owner's Signature	Owner's Name (Please Print) THOMAS CUTLER
Agent's Signature	Agent's Name (Please Print) DICKSON CARROLL, AIA.
Date 5/18/05	D.C. Bar No. _____ or Architect Registration No. A-3066

OFFICE OF ZONING DETERMINATION

(DCMR Title 11 §3113.2)

Based upon review of the application and self-certification, this application is:

☐	Accepted for filing.
☐	Referred to the Office of the Zoning Administrator, Department of Consumer and Regulatory Affairs, for determination of proper zoning relief required.
☐	Rejected for failure to comply with the provisions of ☐ DCMR Title 11 §3113.2; or ☐ DCMR Title 11 Zoning Regulations. Explanation _____
Signature	Date

Jerrily R. Kress, FAIA – Director
District of Columbia Office of Zoning
441 4th Street, N.W. Ste. 210-S, Washington, D.C. 20001
(202) 727-6311 * (202) 727-6072 fax * www.dcoz.dc.gov

Side 2

INSTRUCTIONS

Any request for self-certification that is not completed in accordance with the following instructions shall not be accepted.

1. All self-certification applications shall be made on Form 135. All certification forms must be completely filled out (front and back) and be typewritten or printed legibly. All information shall be furnished by the applicant. If additional space is necessary, use separate sheets of paper to complete this form.

2. Complete one self-certification form for each application filed. Present this form with the Form 120 Application to the Office of Zoning, 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.

ITEM	EXISTING CONDITIONS	MINIMUM REQUIRED	MAXIMUM ALLOWED	PROVIDED BY PROPOSED CONSTRUCTION	VARIANCE Deviation/Percent
Lot Area (sq. ft.)	1591.	1800		N/A	(EXISTING CONDITION)
Lot Width (ft. to the tenth)	16.75	18		N/A	11
Lot Occupancy (building area/lot area)	69.6%		60.%	69.6%	11
Floor Area Ratio (FAR) (floor area/lot area)	N/A				
Parking Spaces (number)	N/A				
Loading Berths (number and size in ft.)	N/A				
Front Yard (ft. to the tenth)	N/A				
Rear Yard (ft. to the tenth)	23.1	20.		23.1	
Side Yard (ft. to the tenth)	NONE				
Court, Open (width by depth in ft.)	NONE	22.5 X 6.		22.5 X 2.4	3.6
Court, Closed (width by depth in ft.)	N/A				
Height (ft. to the tenth)	21.5		40.	33.75	

4D. STATEMENT OF BASIS FOR ACTION SOUGHT

This request will be consistent with the general intent and purpose of the zoning regulations. Our property, a two-unit flat, will remain so, but be upgraded and improved by the addition of a roof deck (The only outdoor space available to the second story flat) , and small sitting room opening to it. Because the original structure (built in 1900) is already over the maximum allowed lot occupancy, roof access can only be made through a partial third floor addition over the existing structure(part of the sitting room). The small sitting room at roof level allows for indoor/outdoor living-- a desirable feature, particularly in the inner city. There is no adverse zoning effect or precedent set by this proposal; this project will improve the use and stability of the property. It is one of a continuous row of twelve , two story, two unit flats. Others in the row might benefit by similar projects.

To the west, the proposed addition and roof deck is across a 5 foot wide alley from the rear yards of properties facing 5th St. NW, and will not block anyone's light or ventilation.

Addressing Section 223.2 specifically, the privacy, use and enjoyment of neighboring properties will not be compromised by this proposal. There is another roof deck and several second floor decks on this block. The penthouse and deck are set to the rear of the roof and will only be partially visible from Warner St. by looking southeast in the gap between our building and the rear of buildings facing 5th St. NW. (See photo). The rail and addition will be painted the color of the brick wall below to blend in; the west face of the addition is set in from the brick wall, keeping the slope of the parapet wall uninterrupted.

But looking directly across Warner St. from our property, the structure will not be visible (see Drawing no. 4), nor will it be visible from any vantage point further east on the street.

We do not believe our proposal will substantially intrude on the character, scale and pattern of houses (where visible from the street frontage).

Addressing 406.1 specifically: though not required to do so, we have set the west wall of the addition in 2.4' from the property line, rather than extending the existing brick face-on line bearing wall. There are two reasons to do so: to allow for the existing roof drainage to pass to the rear, and to make the addition less prominent to neighbors to the west.



VIEW OF SOUTH SIDE OF WARNER ST. (LOOKING SW); #440 IS LAST IN ROW BEFORE FENCE



VIEW OF 440 WARNER ST. NW (LOOKING SE); #440 IS FIRST IN ROW WITH EXPOSED WEST WALL



VIEW OF REAR OF 440 WARNER ST. NW, LOOKING NORTH (PERMIT PENDING FOR ALTERATIONS SHOWN ON DRAWINGS)

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., January 28, 2005

Plat for Building Permit of SQUARE 509 LOT 170

Scale: 1 inch = 20 feet Recorded in Book 26 Page 175

Receipt No. 16976

Furnished to: DICKSON CARROLL

Surveyor, D.C.

By: L.E.S.

I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plat;and that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

Date: 5/18/05

(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.

LOT A

(16.75)(95.) = 1591

BLDG. COVERAGE

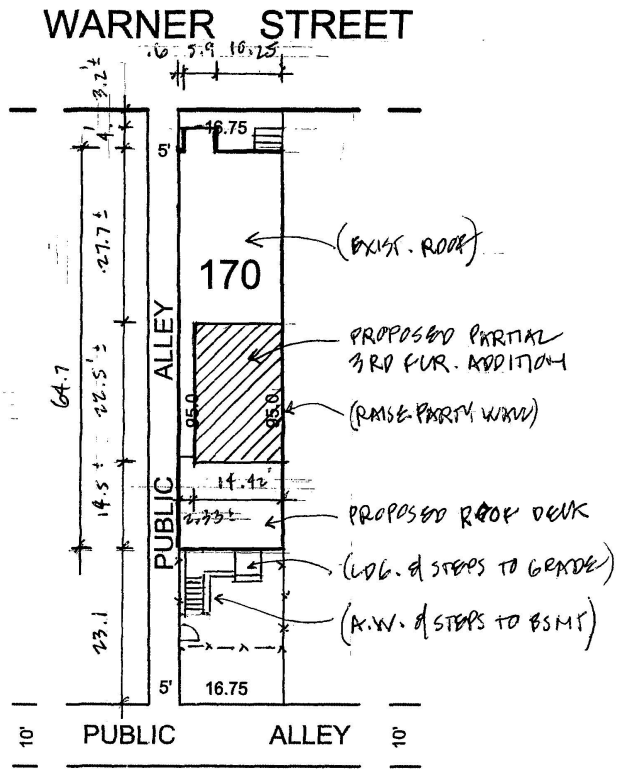
(16.75)(64.7) = 1083.7

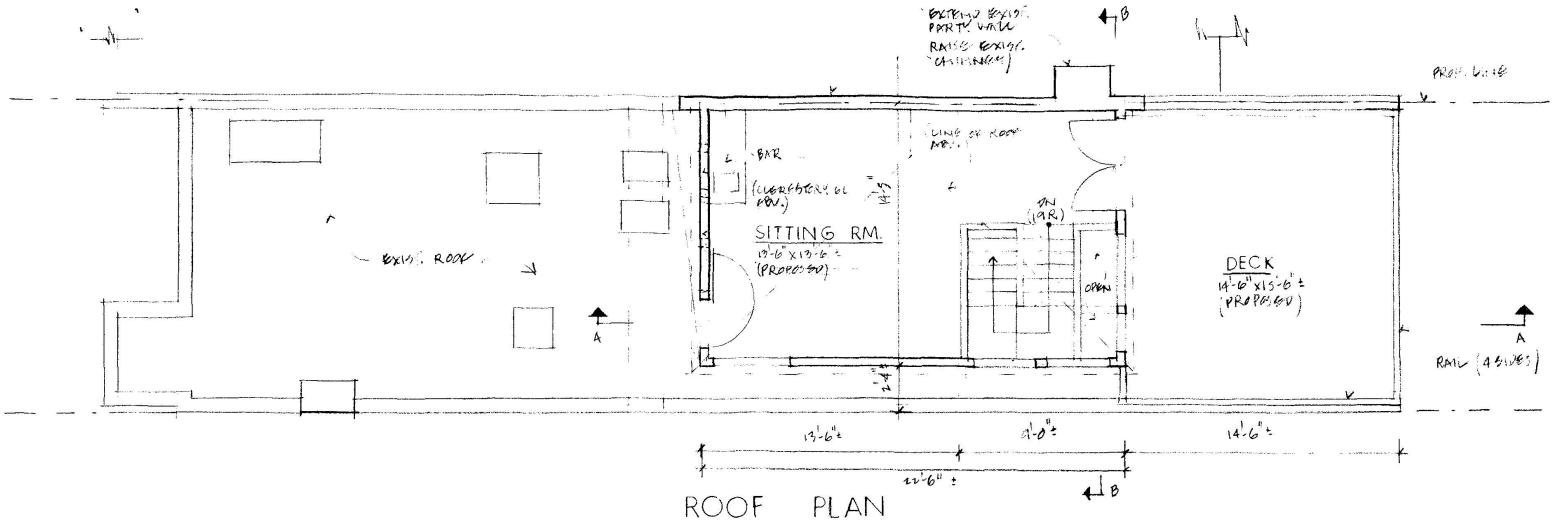
(5.91)(4) = 23.6

1107.3

LOT OCCUPANCY

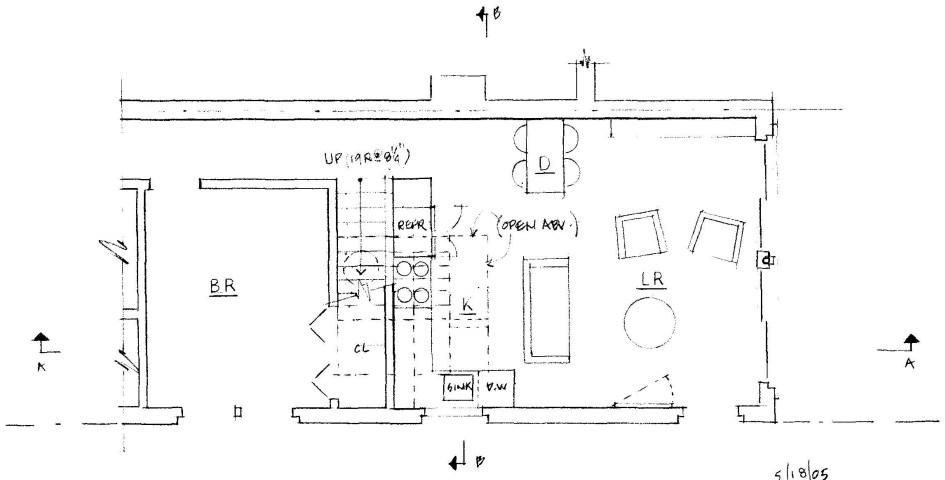
1107.3 / 1591. = 69.6%





ROOF PLAN

1/4" = 1'-0"



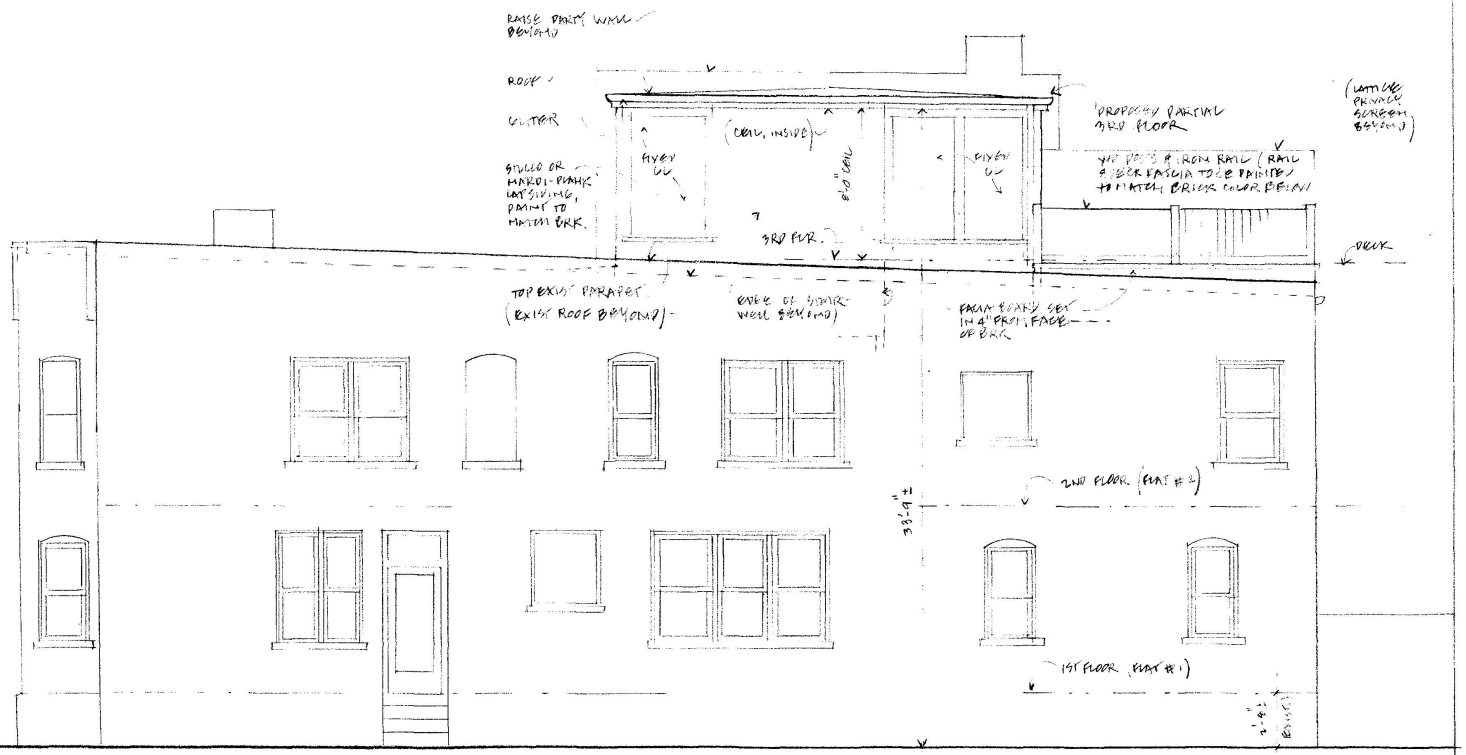
2ND FLOOR PLAN

1/4" = 1'-0"

5/18/05

440 WARNER ST NW

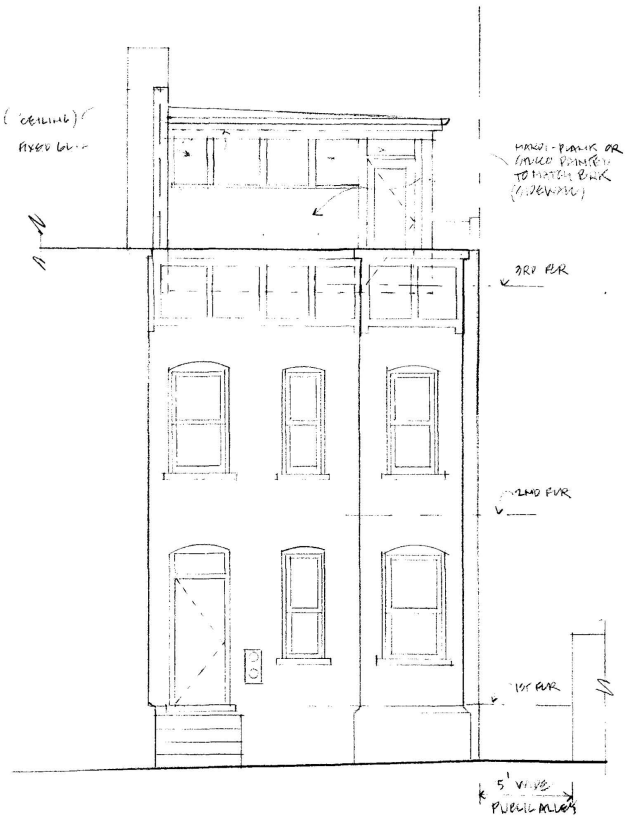
Dickson Carroll, Architect
3408 Ashley Terrace, N.W.
Washington, D.C. 20008
Tel. 202-363-8556



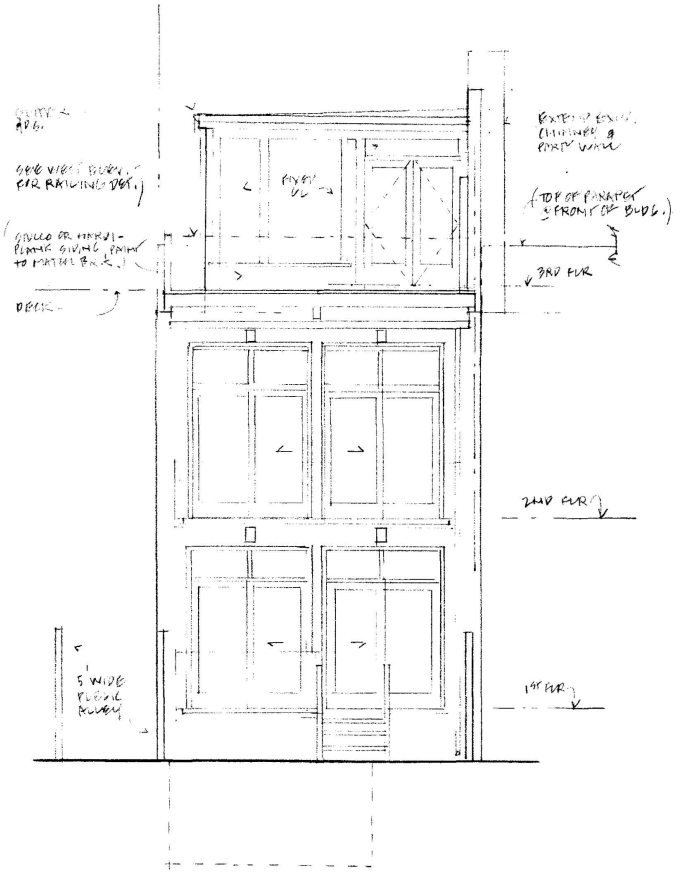
WEST ELEV.

(NOTE: INTERIOR WORK & WINDOW CHANGES (EXIST. BLDG.) UNDER PERMIT)

Dickson Carroll, Architect
3408 Ashley Terrace, N.W.
Washington, D.C. 20008
Tel. 202-363-0556

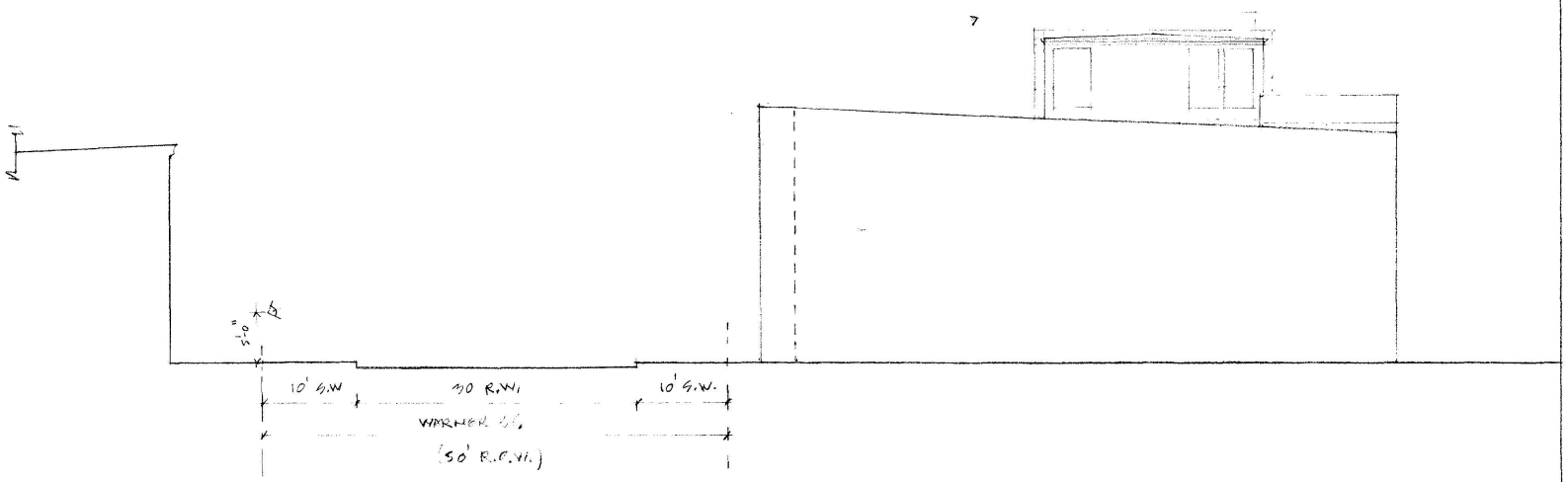


NORTH ELEV.
1/4"=1'-0"



SOUTH ELEV.

Dickson Carroll, Architect
3405 Ashley Terrace, N.W.
Washington, D.C. 20008
Tel. 202-333-5559



SITE SECTION
1/8"=1'-0"

(SHOWING LINE OF SIGHT FROM SIDEWALK ACROSS ST.)

Thomas Carroll, Architect
[illegible]
Washington, [illegible]
Tel. [illegible]