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202 758 5518

Burden of Proof Variance Application

1826 Corcoran St., Northwest

To: Office of Zoning
Government of the District of Columbia
Suite 210 South
441 4th Street, NW

From: Caroline Kettler
Owner/Applicants
1826 Corcoran St NW
Washington DC 20009

Date: March 01, 2016

**Re: BZA Application for a rear addition at 1826 Corcoran St, NW
(Square 134, Lot 804-house & 158-accessory building)**

Caroline Kettler, owner of 1826 Corcoran St NW, hereby applies for a Variance to build a four-story addition on the rear of the house.

The aspects of the proposal that fall outside the current zoning regulation for the R-5-B Zoning District are as follows:

- an FAR of greater than 1.8, which is the maximum specified by sect DCMR 402.
- a lot occupancy of greater than 60%, which is the maximum specified by sect DCMR 403.
- a rear yard of less than 4" per foot of height of the structure, which is the minimum specified by DCMR section 404.
- an open court of less than 4" per foot of height of the structure, which is the minimum specified by DCMR section 406.

I Summary

- A.** The Variance qualifies under 11 DCMR Section 3103 because due to exceptional conditions, the strict application of the DC Official Code poses an undue hardship on the property owner.

- B. Given the proposed subdivision of the two lots, the non conformities that exist are not increased or exacerbated by the proposed project.
- C. The relief sought by the owner will cause no detriment to the public good and will not impair the intent, purpose and integrity of the zone plan.

II Statement of Existing and Intended Use

The existing use is two-unit flat. There is no change in use being sought.

III Basis for Grant of Variance

The following section will describe, (1) the exceptional nature of the property in question, (2) undue hardship of the existing conditions on the property owner, (3) the existing non conformities of the property will actually be lessened by the proposed project due to the subdivision already underway, (4) the project proposes minimal change to the existing zoning conditions and (5) the project will not impose detriment to the public good or to the intent and purpose of the zoning plan.

Unlike almost all the townhouses with accessory buildings in Washington, the house sits on a separate lot from the accessory building behind it, even though both properties were conveyed on the same deed. This exceptional separation causes the FAR and Lot Occupancy on lot 804 to be abnormally high because it is not balanced out by the building and area of lot 158.

Another anomalous characteristic of the house is that the main floor is elevated to the second level above the street. In order to have access to the outdoors in rear of the house, there is an existing deck that connects the main floor of the house with the roof of the accessory building. Because of height of this existing deck, it is considered structure for zoning purposes. This deck, which is confined to the edge of the property, prevents the property from having a rear yard and also counts as additional FAR and lot coverage.

The townhouse, which occupies lot 804, is only 13.75' wide. It has a "leg" that extends off of the west edge that is 7' wide and 5' deep. The 35 sf space is too small for a room and it blocks 50% of the house's exposure to the outside. The owner aims to address this undue hardship by expanding the "leg" so that it is the full width of the house. In theory, an alternative would be to remove the leg but that has been deemed unacceptable by the Historic Preservation Office.

In addition to widening the aforementioned "leg" so that it spans the width of the entire building, the owner is proposing to join the two lots in a subdivision. So, despite adding 45 sf to the house, the total FAR and the total lot occupancy will decrease and the depth of the rear yard present on lot 804 (which is 0') will cease to be an issue because the new property's rear yard will be the open space between the accessory building and the alley.

The existing accessory building on lot 158 has a non conforming second floor. By consolidating the lots, the accessory building will cease to be an accessory building as it will be conjoined with the townhouse via the deck. Therefore, the subdivision will eliminate this non conformity.

Similarly, there is a non conforming open court that exists on the footprint of the proposed addition. This non conformity will be eliminated by the proposed construction of the addition.

The other court that exists between the deck and the lot line will be unchanged by the proposal. Though the consolidated lot will still have zoning non conformities, the non conformities in spite of the new construction.

Although the addition will ease the owner's hardship associated with the plan of the building and profoundly unlock architectural potential of the house, it is very small -- less than 45 SF -- and it will not inhibit the neighbors access to light and air. To the west, the neighbor will have no visual access to the addition as it will be entirely blocked by the existing house. To the east, the new structure will extend past the neighbors house by less than 3 feet. The addition will not block the morning sun because the morning sun would already be blocked by the much taller buildings along New Hampshire Avenue.

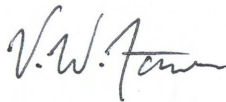
Along with this application we have included the following items:

1. Photos of the existing house
2. Plan and elevation drawings of proposed addition, including a site plan showing the relationship of the proposed addition to adjacent buildings.
3. Official Plat from the DC Office of the Surveyor

The applicants are in the process of seeking letters of support from neighbors and will submit them to the record as soon as possible.

Please do not hesitate to contact the authorized agent VW Fowlkes with any questions.

Thank you.

A handwritten signature in dark ink, appearing to read "V.W. Fowlkes". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

VW Fowlkes
202 / 758-5518