

May 17, 2017

Board of Zoning Adjustment of the District of Columbia
441 4th Street, NW
Suite 200S
Washington, DC 20001

Re: BZA Application for 1519 12th Street, NW; Special Exception Application

Dear Member of the Board,

Please accept for filing the enclosed special exception application for 1519 12th Street, NW. Enclosed you will find two (2) copies of the Application and supporting documentation, and two (2) copies of mailing labels, for properties within 200 feet of 1519 12th Street, NW. The applicant request special relief pursuant to 11 DCMR Subtitle X §901 and 11 DCMR Subtitle D §5201.3, from the lot occupancy requirement of 11 DCMR Subtitle F §304.1.

The application package includes the following materials:

1. BZA Form 120, Application;
2. BZA Form 135, Self-Certification;
3. BZA Form 126, Fee Calculator;
4. Agent Authorization Letter;
5. Burden of Proof for Special Exception;
6. Plat of 1519 12th Street, NW;
7. Architectural plans for 1519 12th Street, NW;
8. List of names and mailing addresses of owners of all property located within 200 feet of the boundaries of the Property;
9. Address labels for property owners.

We believe the application is complete and acceptable for filing, and request that the Board schedule a public hearing for application as soon as possible. If you have any questions or need any additional information, please do not hesitate to contact us.

Thank you for your attention to this application.

Sincerely,



Evangelia C. Pelonis



Theodore D. Pelonis

May 17, 2017

1519 12th Street, NW
Washington, DC 20005

Board of Zoning Adjustment of the District of Columbia
441 4th Street, NW
Suite 200S
Washington, DC 20001

Re: BZA Application for 1519 12th Street, NW; Special Exception Application

Dear Member of the Board,

We, Evangelia C. Pelonis and Theodore D. Pelonis, owners and residents at 1519 12th Street, NW, hereby authorize Sherry E. Nesbit, Architect to act on behalf of us for the purposes of preparing and representing us in our application to the BZA for special exception relief from lot occupancy for our property.

Respectfully submitted,



Evangelia C. Pelonis



Theodore D. Pelonis

**Burden of Proof for Special Exception Application
1519 12th Street, NW**

To: The Office of Zoning
Board of Zoning Adjustment
Government of the District of Columbia
441 4th Street, NW
Suite 200S
Washington DC 20001

From: Evangelia C. Pelonis and Theodore D. Pelonis Owners/Applicants
1519 12th Street, NW
Washington, DC 20005

Date: May 17, 2017

Subject: BZA Application, Special Exception for Lot Occupancy
1519 12th Street, NW
(Square 0310, Lot 35)

OVERVIEW

We, Evangelia C. Pelonis and Theodore D. Pelonis, owners and residents of 1519 12th Street, NW, hereby apply for a special exception under 11 DCMR Subtitle F §304.1, Subtitle D §5201.3 to enable us to build an addition onto the rear of our single-family row home. The addition would be approximately 19 feet wide (the width of our house) and would extend 3 feet, 10 inches beyond the existing rear of the house. The proposed addition increases the lot occupancy from 1,058 square feet (62%) to 1,188 square feet (70%), which 10% over the allowed lot occupancy for a row house in the RA-2 zone. We are seeking a special exception because the construction of our proposed addition would cause us to exceed the maximum allowable lot occupancy in the RA-2 residence zone of 60%. See 11 DCMR §§ 304.1. We note that there is an additional parking spot to the rear of our property that we do not own, Lot 813, but that will remain unoccupied. Although we cannot count this property in our calculations if we were to include it the proposed addition would only be around 64%.

For the reasons set forth in detail in this document and our other application materials, we respectfully submit that our proposed rear addition fully satisfies the various preconditions to a special exception under these provisions, and would “not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property” as follows:

- (1) “The light and air available to neighboring properties” would “not be unduly affected” by our proposed addition;
- (2) “The privacy of use and enjoyment of neighboring properties” would “not be unduly compromised” by our proposed addition;

- (3) “The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way” would “not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage.” To the contrary we will demonstrate that the proposed addition will be consistent with the lot occupancy of surrounding homes; and
- (4) We will demonstrate compliance with those requirements using “graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.”
See 11 DCMR Subtitle D §5201.3

RELEVANT FACTS AND PROCEDURAL HISTORY

A. The Site and Surrounding Area

The subject property is located at 1519 12th St., NW, Square 310, Lot 35, in the RA-2 Zone District. The lot is improved with a two-story one-family row dwelling. The property fronts on 12th Street to the West and a 10/11-foot wide public alley to the East. To the North is an abutting three-story dwelling and to the South is an abutting two-story row dwelling. To the East, across the public alley is a large apartment building (50-foot height). To the West, across 12th Street from the property, are residential buildings. The block is a mix of single and multi-family dwellings and apartment buildings.

We note that under the 2016 Zoning Code, the RA-2 zone is intended to permit flexibility of design by permitting all types of urban residential development if they conform to the height, density, and area requirements and to support moderate-density residential properties. See 11 DCMR §§ 300.3. We believe that our proposed addition fits within the intent of the RA-2 zone as set forth by the 2016 Zoning Code.

B. Purpose of Rear Addition

We purchased our home in January 2010. Since then our family has grown with the addition of two children. The children currently share a bedroom in the center of the house. We would like to add a rear addition to our house in order to have two proper bedrooms with exterior windows for our children. We love our neighborhood and do not want to move but will have to if we cannot reconfigure the space so that it works for our family.

C. Our Preliminary Outreach Efforts and Our Neighbors’ Responses

On February 21, 2017, we sent an e-mail to all of the neighbors for which we have email addresses in the area. This includes the owners of the following properties:

1515 12th Street, NW
1516 12th Street, NW
1517 12th Street, NW

1518 12th Street, NW
1521 12th Street, NW
1522 ½ 12th Street, NW
1522 12th Street, NW
1107 Rhode Island Avenue, NW
1109 Rhode Island Avenue, NW

The email included the materials presented to the Community Development Committee on February 22, 2016 and read as follows:

Good morning,

Ted and I are requesting a special exception to build an addition onto the back of the house. The addition will square off the back and go back an additional 3'11" so that we can get 2 bedrooms (for kids) with exterior windows. The lot occupancy is 64% including the parking spot we do not own and 70% without that parking spot, which is the max permitted under the special exception. The presentation materials for Wednesday night's CDC meeting are attached. We wanted to get this out sooner but were just added to the agenda and finished the materials yesterday. Please let us know if you have any comments.

Thanks,

Eve and Ted

To date we have discussed our proposal and shared our plans with several neighbors including the two neighbors who own the two abutting properties at 1521 12th Street, NW and 1517 12th Street, NW.

We presented our proposed rear addition and request for a special exception to the Advisory Neighborhood Commission (ANC) 2F Community Development Committee (CDC) on February 22, 2016. The CDC voted in favor (8-1) of the special exception. The full ANC voted in favor of this matter on March 8, 2017, and will send a letter of support as soon as a BZA application number is assigned for this matter.

ARGUMENTS

A. Light and Air

The rear addition to our house faces directly East, which is the source of natural sunlight. Therefore, the proposed addition will not adversely affect the light and air available to our neighbors that live directly to the North (1521 12th Street, NW) or South (1517 12th Street, NW). Accordingly, the proposed rear addition would not unduly affect the light and air available to neighboring properties. See 11 DCMR Subtitle D §5201.3.

B. Privacy and the Use and Enjoyment

The privacy and use and enjoyment of our neighbors who live to the south of us would not be in any way be compromised by our proposed rear addition. In fact, the neighbors will be afforded

increased privacy and use of enjoyment of their properties because the exit to our home currently faces South near the exit for 1517 12th Street, NW. The addition will move the exit to our home to the East and will minimize noise and increase privacy for 1517 12th Street, NW. See 11 DCMR Subtitle D §5201.3.

C. View from Alley

We understand that the addition, together with the original building, as viewed from the street, alley, or other public way, must not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage. Here, the rear addition is only visible from the rear alley that abuts a 50-foot apartment building.

Most of the properties that abut the alley are in excess of the current lot occupancy limits due to the configurations of buildings and the unique shape of the block that sits between Rhode Island Ave, 12th Street, and Q Street, NW. Thus, our increased lot occupancy is consistent with the increased lot occupancies of the other properties and does not intrude upon the character, scale, and pattern of the alley. Further, we believe that be squaring off the rear of our property will improve the alley scape and match the new building at 1527 12th Street, NW, which has a similar look in that it is squared off and composed of substantial windows similar to our proposed addition. See 11 DCMR Subtitle D §5201.3.

The elevation plans, photographs, and site plan show the relationship of the additions to adjacent buildings, and show views from the public right-of-ways.

CONCLUSION

We believe that the requested special exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations the and Zoning Maps. We respectfully request that the Board grant our application for a special exception, to enable us to rebuild our rear addition to our single-family home.

Please let us know if you have any questions or need any additional information for this application.

Respectfully submitted,




Evangelia C. Pelonis

Theodore D. Pelonis

Image #1: Back view of 1515, 1517, 1519, 1521, and 1525 12th Street, NW from the rear alley



Image #2: Back view of 1519, 1521 and 1525 12th Street, NW from the rear alley



Image #3: Back view of 1515, 1517, 1519, 1521, and 1525 12th Street, NW from the rear alley



Image #4: Rear view of 1519 12th Street, NW



List of names and mailing addresses of owners of all property located within 200 feet of the boundaries of 1519 12th Street, NW

Premise Address	Owner Name	City	State
1517 VERMONT AVE NW	JOHN R RING	Washington	DC
1519 VERMONT AVE NW	WILLIAM J BONSTRA	Washington	DC
1524 12TH ST NW	PAUL E VON DONOP	Washington	DC
1516 12TH ST NW	HEISEY JOEL D	Washington	DC
1510 12TH ST NW	SHIANG S CHAN	Washington	DC
1509 VERMONT AVE NW	LORRAINE A JOHNSON	Washington	DC
1511 VERMONT AVE NW	MARY J MACE UNIT 3	Washington	DC
1513 VERMONT AVE NW	DAVID DEROSA	Washington	DC
1515 VERMONT AV NW	MARK D ANDERSON	Washington	DC
17 LOGAN CIR NW	SIMMONS DOROTHY J	Washington	DC
1503 VERMONT AVE NW	ARI SHAPIRO	Washington	DC
1505 VERMONT AVE NW	GUS L MORRISON TRUSTEE	Washington	DC
1507 VERMONT AVE NW	G R YEAGER	Washington	DC
1213 RHODE ISLAND AVE NW	FRED L GUNTER	Washington	DC

1215 RHODE ISLAND AVE NW	DANYLL W FOIX	Washington	DC
18 LOGAN CIR NW	PATRICIA R PRESS	Washington	DC
1522 1/2 12TH ST NW	JEAN M CIBUZAR	Washington	DC
1522 12TH ST NW	HEISEY JOEL D	Washington	DC
1520 12TH ST NW	MIKE CROSETTI WASHINGTON LAND CO	Washington	DC
1518 12TH ST NW	VERONIQUE K WAITES	Washington	DC
1529 VERMONT AVE NW	RINAT R AKHMETSHIN	Washington	DC
1201 RHODE ISLAND AVE NW	TIMOTHY LARAMY	Washington	DC
1209 RHODE ISLAND AV NW	MARTIN LUCERO	Washington	DC
1211 RHODE ISLAND AV NW	KELLEY N WILSON	Washington	DC
1531 VERMONT AV NW	ERIC Q A GREENWALD	Washington	DC
12TH ST NW	1510 12TH STREET NW LLC	Washington	DC
12TH ST NW	SHIANG S CHAN	Washington	DC
1203 RHODE ISLAND AVE NW	STEVEN J ANDERSON	Washington	DC
12TH ST NW	1510 12TH STREET NW LLC	Washington	DC
12TH ST NW	1510 12TH STREET NW LLC WAGGAMAN & BRAWNER	Washington	DC
1526 12TH ST NW	ERIN C CLEARY	Washington	DC
1523 VERMONT AV NW	SHARON H RUBIN	Washington	DC
1521 VERMONT AV NW	DAVID S RUBIN	Washington	DC

1205 - 1207 RHODE ISLAND AV NW	THOMAS W MELHAM	Washington	DC
1200 Q ST NW Unit: 101	RONALD C STEWART	Washington	DC
1200 Q ST NW Unit: 102	JAY W SCHEERER	Washington	DC
1200 Q ST NW Unit: 201	EDUARDO DE OLLOQUI TRUSTEE	Washington	DC
1200 Q ST NW Unit: 202	GUY JOHNSON	Washington	DC
1200 Q ST NW Unit: 301	FURMAN BELIN	Washington	DC
1200 Q ST NW Unit: 302	MATTHEW B FIRTION	Washington	DC
1200 Q ST NW Unit: 1P	GUY JOHNSON	Washington	DC
1200 Q ST NW Unit: 2P	MATTHEW B FIRTION	Washington	DC
1200 Q ST NW Unit: 3P	REGINALD HOWARD	Washington	DC
1514 12TH ST NW Unit: 1	J H TUCKER	Washington	DC
1514 12TH ST NW Unit: 2	SEAN C PRICHARD	Washington	DC
1514 12TH ST NW Unit: 3	JOEL GOODMAN	Washington	DC
1514 12TH ST NW Unit: 4	IGOR V TIMOFEYEV	Washington	DC
1501 VERMONT AVE NW Unit: 1	JOSEPH P GOREY	Washington	DC
1501 VERMONT AVE NW Unit: 2	RANDALL C FASNACHT JR	Washington	DC
1501 VERMONT AVE NW Unit: 3	DAVID MUSE	Washington	DC
1201 Q ST NW Unit: 1	MATTHEW R STUART	Washington	DC
1201 Q ST NW Unit: 2	MARGEUX M ROGERS	Washington	DC
1201 Q ST NW Unit: 3	PRESTON A REED JR	Washington	DC
1201 Q ST NW Unit: 4	CONOR HALLORAN	Washington	DC
1201 Q ST NW Unit: 101	JA-NA A HINES	Washington	DC
1201 Q ST NW Unit: 102	ANNE N KIM	Washington	DC

1201 Q ST NW Unit: 103	KELLY M PERCIVAL	Washington	DC
1201 Q ST NW Unit: 104	NEVIN L FORBES	Washington	DC
1201 Q ST NW Unit: 105	ETHAN T BECK	Washington	DC
1201 Q ST NW Unit: 201	MARK S LENHART	Washington	DC
1201 Q ST NW Unit: 202	TOBIN J BRADLEY	Washington	DC
1201 Q ST NW Unit: 203	COLLEEN A WILLIAMS	Washington	DC
1201 Q ST NW Unit: 204	TIM J ROMP	Washington	DC
1201 Q ST NW Unit: 205	JEFFREY JETTON	Washington	DC
1201 Q ST NW Unit: 301	KORAB ZUKA	Washington	DC
1201 Q ST NW Unit: 302	REBECCA C LOVERIDGE	Washington	DC
1201 Q ST NW Unit: 303	ROLAND R WALLIS JR BRAIN JOSEPH LUSHER	Washington	DC
1201 Q ST NW Unit: 304	SVETLANA GOUBANOVA	Washington	DC
1201 Q ST NW Unit: 305	GERARDO BOTELLO	Washington	DC
1201 Q ST NW Unit: 401	SCOTT P BILLY	Washington	DC
1201 Q ST NW Unit: 402	LANI C COSSETTE	Washington	DC
1201 Q ST NW Unit: 403	PETER E COLOHAN	Washington	DC
1201 Q ST NW Unit: 404	EDUARDO NINO	Washington	DC
1527 12TH ST NW	DV INVESTMENT INC	Washington	DC
1521 12TH ST NW	DEBORAH MARTENS	Washington	DC
1107 RHODE ISLAND AVE NW	DEBRA A AGOSTINI	Washington	DC
1109 RHODE ISLAND AVE NW	JOSEPH E CANTOR	Washington	DC
1111 RHODE ISLAND AVE NW	VIKASH GUPTA	Washington	DC

1113 RHODE ISLAND AVE NW	JOHANNA S WOOD TRUSTEE JOHANNA S WOOD	Washington	DC
1115 RHODE ISLAND AVE NW	LAWRENCE J KIMMEL	Washington	DC
1515 12TH ST NW	PATRICK A COOPER	Washington	DC
1517 12TH ST NW	JOSEPH BRESLIN	Washington	DC
1528-1530 11TH ST NW	J RIVER 11TH RHODE ISLAND AVENUE LLC SUITE 600	Washington	DC
12TH ST NW	THEODORE D PELONIS	Washington	DC
1112 Q ST NW	ROBERT S BANASZAK	Washington	DC
1110 Q ST NW	JOHN REOSTI	Washington	DC
1108 Q ST NW	CHRISTOPHER M SONDRAL	Washington	DC
1106 Q ST NW	DAVID COOPER	Washington	DC
1525 12TH ST NW	1525 12TH STREET NW ASSOCIATES FRED A SMITH CO	Washington	DC
R 12TH ST NW	JEFFREY JETTON	Washington	DC
1519 12TH ST NW	THEODORE D PELONIS	Washington	DC
		Washington	DC