

BOARD OF ZONING ADJUSTMENT SPECIAL EXCEPTION APPLICATION

APPLICANT'S STATEMENT of 1739 Harvard St, NW, Washington DC. Square 2588. Lot 160

I. INTRODUCTION AND NATURE OF RELIEF SOUGHT

Adam J Ross and Peng Wu (the "Applicant") are the owners of the property located at 1739 Harvard St. N.W, Washington DC, Square 2588, Lot 160 (the "Property"), which is zoned RF-1. The Property consist of a three-story, single-family dwelling (the "Building"). The Applicant proposes to construct a two-story addition to the Building at the rear (the "Addition") preserving the single-family-dwelling criteria. Accordingly, the Applicant requests special exception approval for the conversion pursuant to Subtitle E § 200 and 5200.

II. DESCRIPTION OF THE PROPERTY AND THE ADDITION.

The Property is located at 1739 Harvard St., N.W. and is in the RF-1 zone district.

Abutting the Property to the east and west are three-story residential buildings. The properties to the south are five and six story apartment buildings across Harvard St, N.W. The properties to the north are similar two story single family row houses that are three-stories at the alley elevation facing this property. The Applicant is proposing to construct a two-story Addition at the rear of the Building maintaining the original building height. This Addition would extend the Building footprint by fourteen feet at the rear (14 ft.), bringing the Lot Occupancy from 22% to 34.4%. In no way does the addition cross the twenty feet (20 ft.) rear yard building restriction line established for RF-1 zones.

The Applicant is seeking to add a modest family room on the 2nd floor (at grade level as viewed from the rear yard), and a bedroom at the third floor (second floor as viewed from the rear yard), to accommodate their growing family. They were specifically not interested in maximizing their lot occupancy, but rather only constructing an addition to meet their missing needs. The Addition is designed based on the interior function, but responds to the exterior and neighboring properties. The Applicant requested the addition only be large enough to accommodate their furniture needs (sitting area at the first floor and bed on the second floor), and as such wanted the second floor design to set back an additional two feet (2 ft.) from the first floor addition to create architectural relief to the addition, and soften the rear elevation. The height of this addition does not

exceed the existing roof height.

III. THE APPLICATION SATISFIES SPECIAL EXCEPTION REQUIREMENTS OF SUBTITLE E § 205.4 and 205.5 – SPECIAL EXCEPTION STANDARDS FOR THE RF ZONE:

205.4 Notwithstanding §§ 205.1 through 205.3, a rear wall of an attached or semi-detached building shall not be constructed to extend more than ten feet (10 ft.) beyond the furthest rear wall of any adjoining principal residential building on an adjoining property.

205.5 A rear addition may extend more than ten feet (10 ft.) beyond the furthest rear wall of any principal residential building on an adjoining property if approved as a special exception pursuant to Subtitle Y, Chapter 9 and as evaluated against the criteria of Subtitle E §§ 5201.3 through 5201.6.

B. Requirements Of Subtitle E § 5201.3. Through 5201.6:

An applicant for special exception under this section shall demonstrate that the addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

(a) The light and air available to neighboring properties shall not be unduly affected;

The light and air available to neighboring properties will not be unduly affected. The Addition is designed to set back two feet (2 ft.) at the upper floor from the main addition below to create architectural relief to the rear elevation.. No windows will face adjacent neighbors. The rear at-grade (second floor) addition was limited to fourteen feet (14 ft.) to only what the Applicant needed for the missing function of a living space on that level. The third floor set-back addition was dimensioned to accommodate a bed only.

(b)The privacy of use and enjoyment of neighboring properties shall not be unduly compromised

The privacy of the neighbors will remain unaltered. The Addition has no windows facing the adjacent properties. As noted above, the Addition is designed to set back two feet (2 ft.) at the upper floor from the main addition below to create architectural relief to the rear

elevation. This set back at the upper floor will be constructed as a green roof to further soften the visual aspects of the Addition. The existing fence at grade in the rear yard will be maintained, and the remaining exterior rear yard and garden are also to be maintained.

(c) The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage;

The Addition is proposed for the rear of the building and does not exceed the height of the existing structure. As such the Addition is not visible from the front of the building or the street.

(d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use 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; and (e) The Board of Zoning Adjustment may approve lot occupancy of all new and existing structures on the lot up to a maximum of seventy percent (70%).

The documentation required is included in this application. The proposed lot occupancy is 34.4%.

5201.4 The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.

The materials to be used in the new addition are proposed to be contextual with the adjacent properties. Any exterior lighting would be shielded to prevent any glare onto adjacent properties (there are no security lights proposed).

5201.5 This section shall not be used to permit the introduction or expansion of a nonconforming use as a special exception.

Outside of the Special Exception requirements of Subtitle E § 205.4 and 205.5, there are no non-conforming or other non-compliant conditions as part of this submittal.

5201.6 This section shall not be used to permit the introduction or expansion of nonconforming height or number of stories as a special exception.

The proposed height of the addition will not exceed the existing Property's height, or the adjacent properties' heights. The existing structure height is compliant with existing zoning requirements.

Subtitle X § 901.2 – General Special Exception Review Standards 901 SPECIAL EXCEPTION REVIEW STANDARDS

1. The Board of Zoning Adjustment will evaluate and either approve or deny a special exception application according to the standards of this section.

2. The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:

(a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;

(a) The proposed rear addition is otherwise in compliance with zoning regulations and maps. The proposed addition's height, footprint and setbacks are all within requirements for the RF-1 zone.

(b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and

(b) As noted in earlier section of this document and as such relevant here. The proposed rear addition will not otherwise affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps.

The light and air available to neighboring properties will not be unduly affected. The Addition is designed to set back two feet (2 ft.) at the upper floor from the main addition below to create architectural relief to the rear elevation.. No windows will face adjacent neighbors. The rear at-grade (second floor) addition was limited to fourteen feet (14 ft.) to only what the Applicant needed for the missing function of a living space on that level. The third floor set-back addition was dimensioned to accommodate a bed only.

The privacy of the neighbors will remain unaltered. The Addition has no windows facing the adjacent properties. As noted above, the Addition is designed to set back two feet (2 ft.) at the upper floor from the main addition below to create architectural relief to the rear elevation. This set back at the upper floor will be constructed as a green roof to further soften the visual aspects of the Addition. The existing fence at grade in the rear yard will be maintained, and the remaining exterior rear yard and garden are also to be maintained.

The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage;

The Addition is proposed for the rear of the building and does not exceed the height of the existing structure. As such the Addition is not visible from the front of the building or the street.

(c) Will meet such special conditions as may be specified in this title.

(b) The proposed rear addition otherwise meets special conditions of this title.

IV. CONCLUSION.

For the reasons stated above, this application meets the requirements for special exception approval by the Board, and the Applicant respectfully requests that the Board grant the requested relief.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. Hall", enclosed within a circular scribble.

Michael Wm. Hall, AIA, Partner

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Architect License No. DC5613

Date : 23 June 2017