

November 7, 2017

Board of Zoning Adjustment for the
District of Columbia
441 4th Street N.W., Suite 210 South
Washington, D.C. 20001

Re: Letter from the Applicant re Updated Submission for the Special Exception

Dear Board of Zoning Adjustment:

As requested by the Board, our latest submission contains floor plan diagrams for a 10 foot by-right addition. We also took the Board's advice to heart and decided to update our official application by pulling back one foot on both levels, so that now we are requesting only 1 foot on top, and 3 feet on the lower level (11ft/13ft), with a green roof that extends the lower wall by 2 feet.¹ We can live with a little less, if our neighbors can live with a little more. We cannot imagine a more modest proposal for a special exception. (Has there ever been an application for ½ foot?)

Why not just 10 feet? This project is a substantial investment of resources for our family. We have a toddler and grandparents in the area who often stay over to help. Every little bit of space helps, especially when there are five people in the house. Still, we kept the proposed addition relatively modest, mainly out of concern and sensitivity to our neighbors' opposition.

We are applying for a special exception, not a variance. The first prong of the variance test requires the applicant to show that the variance is somehow *necessary* – that there will be undue hardship for the owner unless the variance is granted. By contrast, for a special exception, our burden of proof is to show that the extra 1 foot on top and 3 feet on the lower level will not unduly affect our neighbors. We have met this burden through the following:

- 1) Sun studies show very minimal difference between 10 feet addition and the addition with the special exception. At the Board's request and at the request of neighbors, we have done multiple sun/shadow studies, all leading to this same conclusion even at 12/14 feet. *See* Exhibits 69A1 and 69A1, 65A1 and 65A2, 43, 42.
- 2) The Office of Planning reviewed the previous sun studies very carefully (when our proposal was 12ft/14ft) and concluded that our proposal would not unduly affect the neighbors. *See* Exhibits 39 and 71.
- 3) The total lot occupancy for this project, even with the special exception, is very low. *See* Exhibit 39 (Office of Planning Report observing 34.4% lot occupancy).
- 4) For 2 houses to the west (1741 and 1743), the impact of our addition is decreased by at least 2 feet because they are staggered slightly to the north of our house. *See* Exhibit 39 (Office of Planning Report at page 2); Exhibit 72.

¹ The green roof was designed for both aesthetic and practical purposes—the plant material of green roofs significantly reduce the amount of rainwater that would otherwise run off an impervious roof surface. This is something our neighbor at 1737 has repeatedly raised concerns about. *See* Exhibit 37 at page 3. We would be willing to accept a condition to not use this green roof as a balcony in the future, if the Board deems it necessary.

Sincerely,

Peng Wu and Adam Ross