

SUPPLEMENTAL REPORT

TO: District of Columbia Board of Zoning Adjustment

FROM: Brandice Elliott, Case Manager

JL Joel Lawson, Associate Director Development Review

DATE: February 23, 2018

SUBJECT: BZA Case 19593 (1226 North Carolina Avenue, N.E.), to enclose a portion of the rear, third floor deck.

I. BACKGROUND AND RECOMMENDATION

The subject case was heard by the Board at its December 13, 2017 hearing. The merits of the special exception were not specifically discussed, as the hearing was postponed to a later date to allow additional submissions from the applicant and the party in opposition. Since the hearing, the applicant has submitted additional information into the record to include a sun study¹ and a revised burden of proof².

After reviewing this information, the Office of Planning (OP) continues to recommend **approval** of the following special exceptions:

- Subtitle C § 202.2, Additions to Nonconforming Structures; and
- Subtitle E § 304.1, Lot Occupancy (60% maximum, 70% proposed).

The revised burden of proof provided by the applicant sufficiently addresses the special exception criteria and provides additional context of the rear yards adjacent to the subject property. The sun study demonstrates that the proposed addition would not unduly impact the use of the adjacent properties, as it would shade a window of the property owned by the party in opposition, not adjacent to the subject site but located one house removed to the north of the site, for only a short period in the late afternoon during the winter months. Otherwise, any shading of the window appears to be caused by existing construction on the block. The supplemental information provided by the applicant reinforces OP's original recommendation of approval as provided in its report dated December 1, 2017³.

¹ See Exhibits 63 through 66.

² See Exhibit 62.

³ See Exhibit 14.