

Burden of Proof Special Exception Application

508 7th Street SE

To: **The Office of Zoning**
Government of the District of Columbia
Suite 210 South
441 4th Street, NW
Washington DC 20001

From: **Michael Fowler**
Agent/Architect
1819 D Street SE
Washington, DC 20003

Date: October 2, 2017

Subject: **BZA Application, Flowers Addition**
508 7th St SE (Square 903, Lot 29)

Benjamin Flowers, owner and resident of 508 7th Street SE, hereby applies for a special exception pursuant to Subtitle X, Chapter 9, to build a two-story addition to the rear of their existing semidetached house. The aspect of the proposed project that falls outside the current zoning regulation is as follows:

The existing house has both a nonconforming lot occupancy of 754.7 SF (70.7%) and a rear yard of 8.6'. The proposed lot occupancy will decrease to 747.5 (70.0%) and the rear yard will increase to 9.2' in the RF-1 zoning district (ZR-16 202.2).

The existing house has a lot occupancy of 754.7 SF (70.7%), which will decrease to 747.5 (70.0%) with the proposed rear addition. The proposed lot occupancy will not exceed 70% maximum allowed by a special exception for a row house in the RF-1 zoning district (ZR-16 304.1).

The existing house has a rear yard of 8.6', which will increase to 9.2' with the proposed rear addition. The proposed rear yard deviates from the required 20.0' by 10.8' in the RF-1 zoning district (ZR-16 306.1)

I. Summary:

This special exception qualifies under ZR-16 Subtitle X, Chapter 9, because the lot occupancy does not exceed 70%, and the addition will not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property.

The proposed rear addition will extend the existing 4.4' side yard and replace an existing one-story structure of a slightly larger footprint. The rear addition will decrease the lot occupancy from 754.7 SF (70.7%) to 747.5 (70.0%), and will increase the rear yard from 8.6' to 9.2'.

II. Qualification of Special Exception

5201 Special Exception Review Standards

By satisfying the requirements of E-5201.3 through E-5201.6, the application also meets the general special exception requirements of X-901.2.

5201.3 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;

506 7th Street SE

506 7th Street SE lies to the north of the proposed rear addition at 508 7th Street SE. The proposed two-story addition will replace an existing one-story structure, and will be held short of the existing structure to be demolished by 0.6'. There is a 4.5' side yard on the property of 506 7th Street SE separating it from the proposed addition. There will be a minor impact from the proposed second floor of the addition, but it will only extend back an additional 8.5' past the existing two-story structure. Therefore, the proposed addition will not have a substantial impact on the light and air available to 506 7th Street SE.

510 7th Street SE

510 7th Street SE lies to the south of the proposed rear addition at 508 7th Street SE. The proposed two-story addition will replace an existing one-story structure, and will be held short of the existing structure to be demolished by 0.6'. There is a 4.4' side yard on the property of 508 7th Street SE separating the proposed addition from the property of 510 7th Street SE. There will be a minor impact from the proposed second floor of the addition, but it will only extend back an additional 8.5' past the existing two-story structure. Therefore, the proposed addition will not have a substantial impact on the light and air available to 510 7th Street SE.

711 E Street SE

711 E Street SE lies to the east of the proposed rear addition at 508 7th St SE. The proposed rear addition at 508 7th Street SE will be much smaller in scale. The apartment building will be separated from the proposed rear addition by the rear yard/parking lot at 711 E Street SE. The rear wall addition will be approximately 20' from the apartment building separated by the parking lot and fence. Therefore, the proposed addition will not have a substantial impact on the light and air available to 711 E Street SE.

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

506 7th Street SE

The proposed addition at 508 7th Street SE will be along the shared property line with 506 7th Street SE. The north face-on-line wall of the addition adjacent 506 7th Street SE will have no windows, thus prohibiting any views into the house at 506 7th Street SE. There will be a new window and door on the rear wall of the addition which may allow some views into the rear yard at 506 7th Street SE; however, the existing fence along the shared property line will remain and obstruct some of those views. Additionally, the new window and door are replacing existing windows on the rear of the existing structure. Overall, the proposed addition at 508 7th Street SE will not unduly compromise the privacy of use and enjoyment of 506 7th Street SE.

510 7th Street SE

The proposed addition at 508 7th Street SE will be separated from the shared property line with 510 7th Street SE by the 4.4' side yard. There are windows on the proposed addition facing south towards 510 7th Street SE, but the existing wall on 510 7th Street SE facing north is on the property line and has no windows prohibiting any views into the house. There will be a new window and door on the rear wall of the addition which may allow some views into the rear yard at 506 7th Street SE; however, the existing fence along the shared property line will remain and obstruct some of those views. Additionally, the new window and door are replacing existing windows on the rear of the existing structure. Overall, the proposed addition at 508 7th Street SE will not unduly compromise the privacy of use and enjoyment of 510 7th Street SE.

711 E Street SE

The apartment building at 711 E Street SE will be separated from the proposed rear addition by the parking lot at 711 E Street SE and a privacy fence. The rear wall of the apartment building will be approximately 20' from the rear of the proposed addition. The north wall of the proposed addition facing the apartment building is on the property line and has no windows. The window and door at the rear of the addition are replacing existing windows on the rear of the existing structure. Therefore, the proposed addition will not have a substantial impact on the light and air available to 711 E Street SE.

(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 existing square is extremely dense and a large apartment building is behind the existing house. The proposed two-story rear addition will not extend past the existing one-story structure that is to be removed. The property does not have alley access, and the properties across the adjacent parking lot and alley consist of commercial properties all facing the opposite direction. Additionally, the proposed addition will be constructed with high quality materials and will be appropriate in scale for the existing houses.

(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

902 Application Requirements

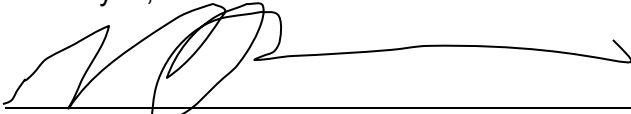
An application for a special exception shall meet the requirements of Subtitle Y § 300.

Along with this application, we have included the following items:

- a) Photos of the existing house and surroundings;
- b) Plan and elevation drawings of proposed addition, including a site plan showing the relationship of the proposed addition to adjacent buildings.
- c) Official Plat from the DC Office of the Surveyor.

If you require any further clarification or have any questions regarding the application, we are available at any time to discuss them with you.

Thank you,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke that ends in a small arrowhead pointing to the right.

Michael Fowler
Agent/Architect
202-546-0896