

Statement of Review Standards

The general purpose of zone RF-1 is to provide a predominantly developed area with attached row houses with no more than two (2) dwelling units per lot [2016DCMR 11-E300.1]. The owners of 1135 Morse Street NE are seeking a special exception in accordance with regulation [2016DCMR 11-U320.2] stating that, "Conversion of an existing residential building existing prior to May 12, 1958, to an apartment house shall be permitted as a special exception in an RF-1 zone if approved the BZA." The owners of 1135 Morse Street NE are also seeking a special exception in accordance with regulation [2016DCMR 11-e205.5] stating that, "A rear wall of an attached or semi-detached building may be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any principal residential building of an adjacent property if approved as a special exception pursuant to Subtitle X, Chapter 9 and as evaluated against the criteria of Subtitle E 5201.3 through 5201.6." The proposed alternative is three (3) dwelling units within the principal structure built 40'-0" beyond any principal residential building of an adjacent property will not adversely affect the neighboring properties and greater neighborhood by the following:

Burden of Proof:

- The existing structure height is to remain. The rear addition highest point will not exceed the maximum allowable height of 35'-0". [2016DCMR 11-u320.2(a)]
- The existing building will remain residential. [2016DCMR 11-u320.2(c)]
- There will more than nine hundred square feet (900 sq. ft.) of land area per dwelling unit. [2016DCMR 11-u320.2(d)]
- The third floor addition (1 story greater than the adjacent neighboring principal structures) occurs only on the rear addition, and is in turn, greater than 10'-0" from any chimney or external vent of an adjacent neighboring property. [2016DCMR 11-u320.2(f)]
- The adjacent properties do not have "existing solar systems"; in such, the proposed addition will not interfere with said system. [2016DCMR 11-u320.2(g)]
- The existing roof top architectural elements will not be changed, modified or removed in any way. [2016DCMR 11- u320.2(h)]
- Several properties on the same block of Morse Street NE have rear additions of similar size and appearance. [2016DCMR 11-u320.2(i) & 2016DCMR 11-e5201.3(a)(b)]
- The lot occupancy will not be maximized to the allowed 60%. The proposed rear addition will increase the existing 34.1% lot occupancy to 55.7%. {2016DCMR 11-e5201.3(e)]
- The street frontage and scale will remain. The front facade is to remain with the addition of a basement egress stair. The rear addition will not be visible from Morse Street NE. [2016DCMR 11-e5201.3(c)]
- Two (2) off-street parking spaces will be added to the rear of the property accessed by the public alley. There is currently no off-street parking on this property.
- The property is to be fully equipped with an automatic sprinkler system.
- Each dwelling unit is to have two (2) means of egress.