

November 3, 2017

Board of Zoning Adjustment

Applicant's Preliminary Burden of Proof Statement

This statement is submitted on behalf of Milton Halem (the "Applicant"), owner of the property location at 3608 S ST NW in the R-20 zone district, is located near the intersection of S St & 36th St, NW. The property is currently a single family rowhouse.

The Applicant is planning to add on to their single family rowhome a rear and 3rd floor addition. To do so, the Applicant is requesting a Special Exception under Title 11 Subtitle D § 1206.4

1206.4 In the R-20 zone, 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 on an adjoining property if approved as a special exception pursuant to Subtitle X, Chapter 9 and as evaluated against the criteria of Subtitle D §§ 5201.3(a) through 5201.3(d) and §§ 5201.4 through 5201.6.

5201.3 An applicant for special exception under this section shall demonstrate that the proposed 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;

We do not believe the addition will adversely affect the light & air available to the neighboring properties as the rear of the block is southern facing. Therefore, both neighbors will have daylight for a majority of the day. A solar study of the rear has been completed and can be found within submitted drawings.

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

The addition will not affect privacy of neighboring properties as it will extend straight back and only feature views to the rear of the property. The enjoyment of the property will not be compromised as the building will not encroach upon their property and the block is southern facing and will receive sunlight for a

majority of the day.

- (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 in the rear. Existing block is composed of a diverse mix of additions in which this addition would not visually interfere.

- (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*

The applicant has prepared a compilation of drawings and photographs documenting the existing conditions and proposed addition.

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 applicant will comply with all reasonable requirements provided by the Board of Zoning.

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

The use of the building is to remain a single-family dwelling, which is currently conforming.

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 structure is to be 32'-0" and 3 stories, both of which are in compliance with title 11 subtitle D § 1203.1