

VIA IZIS

February 12, 2018

Board of Zoning Adjustment of the District of Columbia

441 4th Street NW

Suite 200S

Washington, DC 20001

Re: Application to the Board of Zoning Adjustment

1432 Newton Street NW (Square 2677, Lot 0371)

SUMMARY OF RELIEF SOUGHT

The Owner seeks to construct a partial third story addition and roof deck to an existing, three story plus cellar, flat. The proposed addition increases the size of an existing dwelling unit but does not increase the number of units in the building. The existing building does not conform to current zoning regulations for lot occupancy, rear yard, or open courts. In addition, the existing building and proposed construction exceed the height limit. The proposed addition is within the existing, unchanged, footprint of the existing structure.

Pursuant to Subtitle E, Section 5201, the Applicant seeks relief via Special Exception from:

E§304.1 Lot Occupancy - Though the footprint of the original building is unchanged, it exceeds the maximum allowable coverage by 8.76%.

E§306.1 Rear Yard - The addition maintains the existing, noncompliant 17.8' rear yard

C§202.2 Extension of a non-conforming aspect of a structure (open court) - The proposed addition maintains the existing 3.73' x 12.93' open court and vertically expands it to the height of the addition.

Pursuant to Subtitle E, Section 5203, the Applicant seeks relief via Special Exception from:

E§303.1 Building Height - The proposed addition roof follows the slope of the existing roof and does not protrude above it, but it is 3.1' above the maximum height allowed.

BURDEN OF PROOF

The Special Exceptions may be granted by the Board of Zoning Adjustment per Subtitle X, Section 900.2, and in accordance with Subtitle X, Section 901 – Special Exception Review Standards and Subtitle X, Section 902 – Special Exception Application Requirements.

Per E§5201.1, the Board of Zoning Adjustment may grant a Special Exception for

(a) E§304.1 Lot Occupancy

(b) E§306.1 Rear Yard

(f) C§202.2 Extension of a non-conforming aspect of a structure (open court)

Per E§5201.2, Special Exception Relief is applicable in this case because it meets condition (a) – it is a residential structure

Per E§5201.3, The Applicant has demonstrated, through the attached exhibits, that the addition shall not have any substantially adverse effects on the use or enjoyment of any adjacent properties, and it meets the criteria noted in E§5201.3:

- a. The light and air available to neighboring properties is not unduly affected by the addition; as the extent of the proposed structure is similar in extent to the neighboring properties.
- b. Privacy of use and enjoyment, is not unduly affected by the addition; as the extent of the proposed structure is similar in extent to the neighboring properties.
- c. The character, scale, and pattern of houses along the subject street frontage is unaffected, as the propose addition is not visible from the street or any public way. There is no adjacent alley or street in the rear or sides of the property.
- d. The drawings and photographs attached demonstrate compliance with the conditions noted in this section.
- e. The existing lot coverage of 68.76% is unchanged by the proposed addition and is within the 70% limit established by E§5201.3(e).

Per E§5203.1, the Board of Zoning Adjustment may grant a Special Exception for a building in the RF zone of up to 40'. The Applicant has demonstrated, through the attached exhibits, that the addition and its relation to the original building and the adjacent properties meets the criteria noted in E§5203.1:

- a. The building is not on an alley lot.
- b. The addition does not block or impeded any chimneys or vents on adjacent properties.
- c. The addition does not interfere with any adjacent solar installations.
- d. No rooftop features are affected in any way by the proposed addition.
- e. The light and air available to neighboring properties, as well as privacy of use and enjoyment, is not unduly affected by the addition; as the extent of the proposed structure is similar in extent to the neighboring properties.
- f. The drawings and photographs attached demonstrate compliance with the above conditions.

Granting the requested relief will not be of substantial detriment to the public good. The addition itself does not add to traffic or noise and does not significantly impact light and air to neighbors. The character, size, and type of features proposed are consistent with those already constructed and enjoyed by neighbors along the street and does so in compliance with all other applicable Zoning Regulations.

Granting this relief will not be inconsistent with the general intent and purpose of the Zoning Regulations and Map.

We look forward to presenting this case and will comply with all procedures, notifications, and remain in contact with community groups as needed. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to be 'JS', with a long horizontal stroke extending to the right.

James Solomon AIA LEED AP BD+C