

January 28, 2021

Board of Zoning Adjustment
Government of the District of Columbia
441 4th Street, NW, Suite 210 South
Washington, DC 20001

Re: **BZA#20381, Application of Heather Greenfield and Thomas Sullivan – 314 10th St. SE**

Dear Board of Zoning Adjustment:

I have revised the Burden of Proof to expound upon how the application specifically meets the requirements of Subtitle X, Section 901.2. With this letter, I request that the Board waive the 21 day filing deadline of Subtitle Y, Section 300.15 to allow the submission of the revised Burden of Proof into the record.

Respectfully submitted,



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202.422.7372

I herby certify that on 1/28/21 a copy of the revised Burden of Proof was served by electronic mail to the Office of Planning and to the applicable Advisory Neighborhood Commission (ANC) at the addresses listed below:

Joel Lawson
District of Columbia Office of Planning
Joel.lawson@dc.gov

ANC6B
Advisory Neighborhood Commission 6B
6b@anc.dc.gov



Lacy Brittingham AIA
Brittingham Architecture PLLC

Board of Zoning Adjustment
District of Columbia
CASE NO.20381
EXHIBIT NO.36

Burden of Proof Special Exception Application

To: **D.C. Board of Zoning Adjustment**
441 4th St NW, Suite 210S
Washington, DC 20001

For: **Heather Greenfield and Tom Sullivan**
Applicant
314 10th St. SE
Washington, DC 20003

By: **Lacy Brittingham AIA**
Brittingham Architecture PLLC
Authorized Agent
1134 C St NE
Washington, DC 20002

Date: January 28, 2021

Subject: **BZA Application, Special Exception Relief**
314 10TH St SE (Square 0970, Lot 0805)

Heather Greenfield and Tom Sullivan, owners of 314 10th St. SE, hereby apply for zoning relief to construct a rear two-story addition, by authorization of Subtitle X, Chapter 9 per the provisions and requirements of Subtitle E, Section 5201. The aspects of the proposed project that fall outside the current zoning regulations are as follows:

The proposed lot occupancy of 70%, exceeds the allowed lot occupancy of 60% (11 DCMR Subtitle E, Section 304.1).

I. Summary

- A. This project qualifies as a Special Exception because it will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and it will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps.
- B. This special exception qualifies under 11 DCMR Subtitle E, Section 5201 because the lot occupancy does not exceed 70% and the rear addition will not unduly affect the

light and air available to neighboring properties; it will not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property; and the proposed addition will be similar in character and style to the existing houses and additions to existing houses in the neighborhood.

II. Basis for Grant of Special Exception

A two-story structure is allowed by the Zoning Regulations in the RF-1 district, therefore, a two-story addition to an existing two-story structure is in harmony with the intent and purpose of the Zoning Regulations and Zoning Maps. The residential use of the subject property is not changing with this application therefore, the use of the neighboring property will be no different than the existing condition in accordance with the Zoning Regulations and Zoning Maps. In addition, Subtitle E, Section 5201 provides relief based on satisfying specific criteria under which additions may be permitted within the RF-1 zone as a Special Exception as follows:

a) *The light and air available to neighboring properties shall not be unduly affected.*

The existing house at 316 10th St. SE extends more than ten feet beyond the house at 314 10th St. SE. Since this neighboring house is to the south of the subject property it is the one that limits the light and air available to 314 and not the other way around. The proposed rear wall at 314 will be moved to make the length of the house about a foot *less than* the existing length of the house. This fact actually *increases* the amount of light and air available to the house to the north at 312 10th St. SE.

b) *The privacy of use and enjoyment of neighboring properties shall not be unduly compromised.*

The proposed addition will not unduly compromise the privacy or enjoyment of the neighbor. The infill of the first floor of the dogleg is adjacent to the neighbor's structure at 316 10th St. NE which has already been built out to the shared property line. This house at 316 will extend more than eleven feet beyond the proposed rear wall of the construction at 314. The proposed rear wall at 314 will be moved to make the length of the house about a foot *less than* the existing length of the house. On both sides, the change from the existing condition to the proposed condition will have minimal effect on the neighbor's use and enjoyment of their existing yards and properties.

- c) *The addition, together with the original building, as viewed from the street alley or other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage.*

The addition is designed in a style and vocabulary typical of additions to other existing rowhouses in the neighborhood. In fact, the proposed aesthetic design has been preliminarily approved by the L'Enfant Trust which has an easement on all facades of the house. The dogleg will be retained on the second floor to preserve this massing form common to the neighborhood and to rowhouses in general. The existing two-story historic carriage house at the rear of the property will remain as well as the existing 72" wood fence on each side property line will remain to further lessen the impact of the proposed changes to 314 10th St. SE.

Please refer to the drawings for the size, scale and detail notes pertaining to the design of the proposed addition.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lacy Brittingham". The signature is fluid and cursive, with the first name "Lacy" and last name "Brittingham" clearly distinguishable.

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