

---

# 1457 SWANN ST, NW

BZA CASE # 20585

## APPLICANT TEAM

JACOB HENSLEY – HOMEOWNER

PATRICK BRIAN JONES – ARCHITECT

RYAN BEIBLE –CONSULTANT

---



---

JACOB REALLY LIKES HIS PROPERTY, THE NEIGHBORHOOD, AND ITS LOCATION, AND HE WANTS TO CONTINUE LIVING HERE.

HIS CURRENT HOME CONSISTS OF APPROX. 1,200 SF. BOTH THE 1ST FLOOR AND 2<sup>ND</sup> FLOOR ARE APPROX. 600 SF.

IN ORDER TO MAKE THE HOME SUITABLE FOR BOTH HIS CURRENT NEEDS AND HIS ANTICIPATED AND DESIRED FUTURE NEEDS (A FAMILY), HE IS LOOKING TO ADD APPROX. 250 SF OF LIVING AREA TO BOTH THE 1<sup>ST</sup> & 2<sup>ND</sup> FLOORS, AND TO MAKE THE ROOF ACCESSIBLE AND USABLE.

THE BASEMENT UNIT WOULD ALSO INCREASE APPROX. 250 SF, YIELDING A 2<sup>ND</sup> BEDROOM.

## SPECIAL EXCEPTIONS SOUGHT

C § 1500.4: PENTHOUSE ON A ROWHOUSE

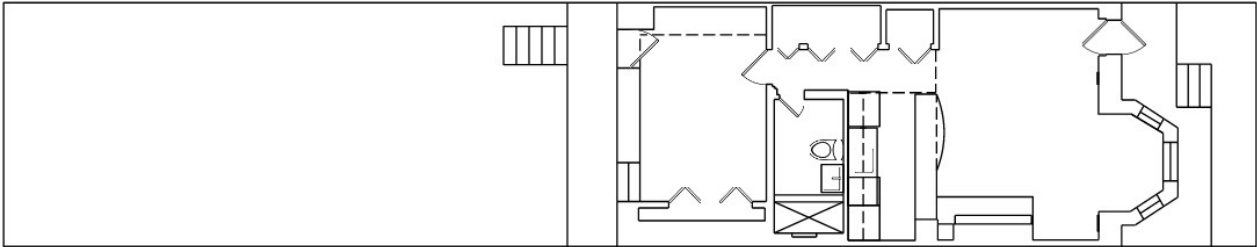
C § 1502.1: PENTHOUSE SIDE SETBACK

E § 205.5: REAR WALL EXTENSION > 10'

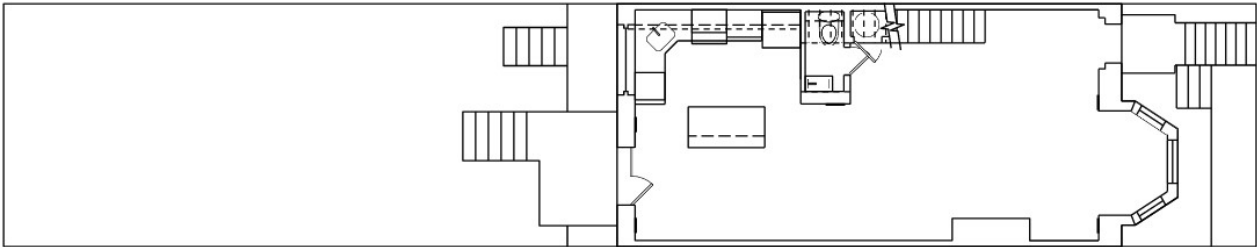
---

---

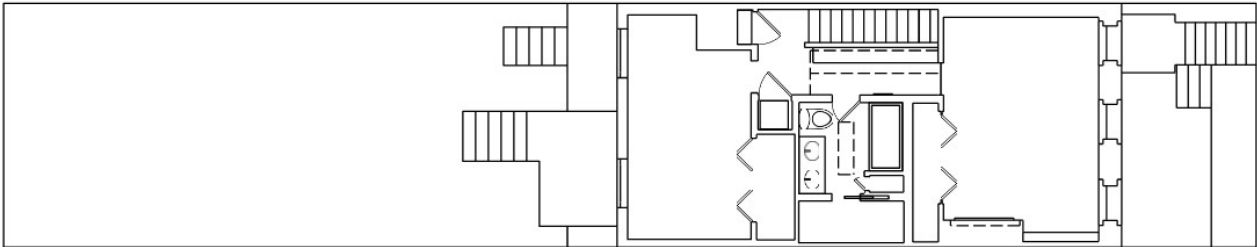
# EXISTING FLOOR PLANS



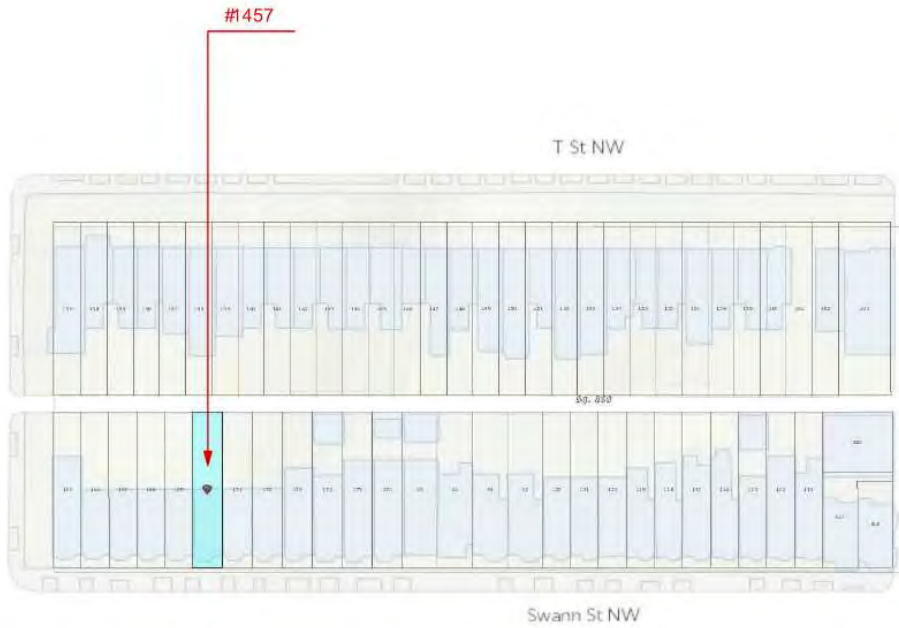
Existing **Basement Floor Plan**  
scale: 1/8" = 1'-0"



Existing **First Floor Plan**  
scale: 1/8" = 1'-0"



Existing **Second Floor Plan**  
scale: 1/8" = 1'-0"



Existing Patrial Block Plan



Context Aerial Photo

FOR DESIGN PURPOSES ONLY  
addition and interior renovation to:  
**1457 Swann St NW**  
Washington, DC

07.26.21  
date

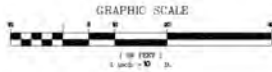
PHOTOS





**LEGEND**

	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	EXISTING UTILITY
	PROPOSED UTILITY
	EXISTING BUILDING
	PROPOSED BUILDING
	EXISTING EASEMENT
	PROPOSED EASEMENT
	WETLAND
	FLOOD ZONE
	NORTH



**SURVEYOR'S CERTIFICATE:**

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON AN ACTUAL FIELD SURVEY PERFORMED BY ACCEPTED AND THE DATE FROM WHICH IT IS BASED WAS PREPARED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE REGULATIONS CONCERNING LAND SURVEYING BY THE DISTRICT OF COLUMBIA BY LICENSE # 0206 (SCHEDULED TO EXPIRE 03/31/2022).

DATE: 04/20/2021



*Frederick C. Oelze*  
FREDERICK C. OELZE  
PROFESSIONAL LAND SURVEYOR  
DC LICENSE NO. 0206

**GENERAL NOTES:**

1. PROPERTY ADDRESS: 1457 SWANN STREET, N.W. WASHINGTON, DC 20009
2. PROPERTY IS RECORDED AMONG THE LAND RECORDS OF THE OFFICE OF THE SURVEYOR FOR THE DISTRICT OF COLUMBIA AS LOT 170 SQUARE 0206 IN SUBDIVISION BOOK PHLR PAGE 88.
3. THE TIME AND NATURE OF ALL UTILITY LOCATIONS SHOWN HEREON ARE BASED ON FIELD OBSERVATIONS. IF WHILE EXCISE THESE LOCATIONS ARE TO BE CONSIDERED APPROXIMATE AND MUST BE DERIVED BY THE APPROPRIATE UTILITY PROVIDER AND LOCATED BY TEST PITTING PRIOR TO ANY CONSTRUCTION OF ENGINEERING SOCIAL. CALL THE UTILITY (800)462-7770 FOR THE LOCATION OF ALL UTILITIES 48 HOURS PRIOR TO ANY CONSTRUCTION OR EXCAVATION.
4. BEARINGS ARE BASED UPON THE RECORDS OF THE OFFICE OF THE SURVEYOR OF THE DISTRICT OF COLUMBIA.
5. THE PROPERTY IS SUBJECT TO ALL EASEMENTS, RIGHT-OF-WAYS, COVENANTS AND ENCUMBRANCES OF RECORD.
6. VERTICAL DATUM FOR THIS SURVEY IS BASED ON DC BENCHMARKS.
7. FIRST FLOOR ELEVATION = 45.35'

**MILLIDEC**

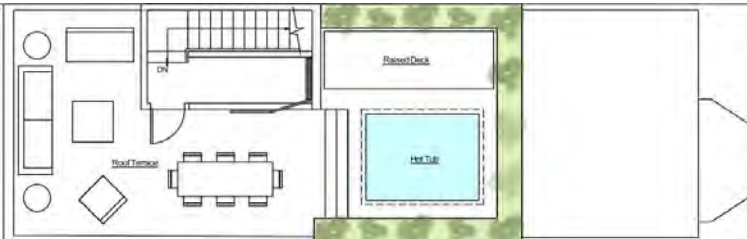
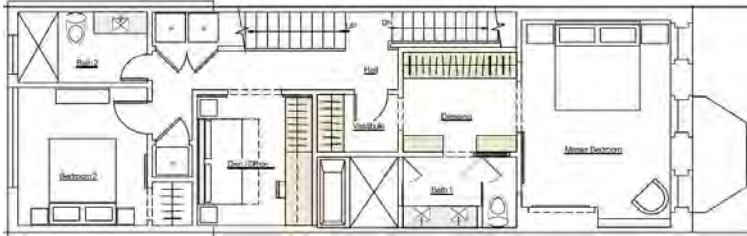
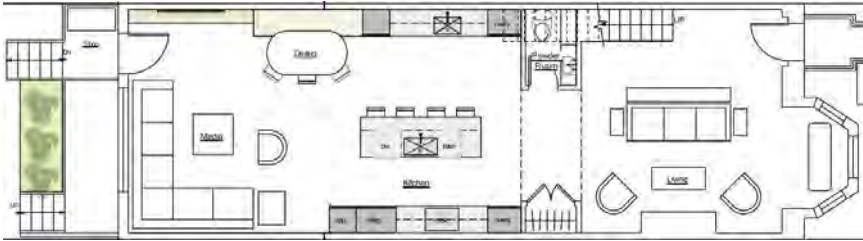
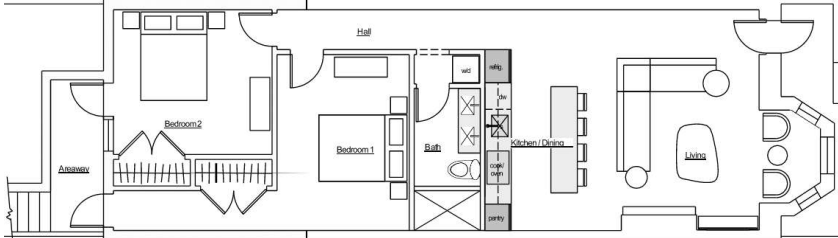
ENGINEERING, SURVEYORS AND DRAFTER, LLC  
1005 KILLAMIE HILLS TERRACE, NW GERMANTOWN, MD 20874  
TEL. 301-790-9444 FAX 301-694-8100  
E-mail: millidec@millidec.com

**PLAT OF BOUNDARY AND TOPOGRAPHIC SURVEY**

No. 1457 SWANN STREET, N.W.  
**LOT 170**  
**SQUARE 0206**  
WASHINGTON  
DISTRICT OF COLUMBIA

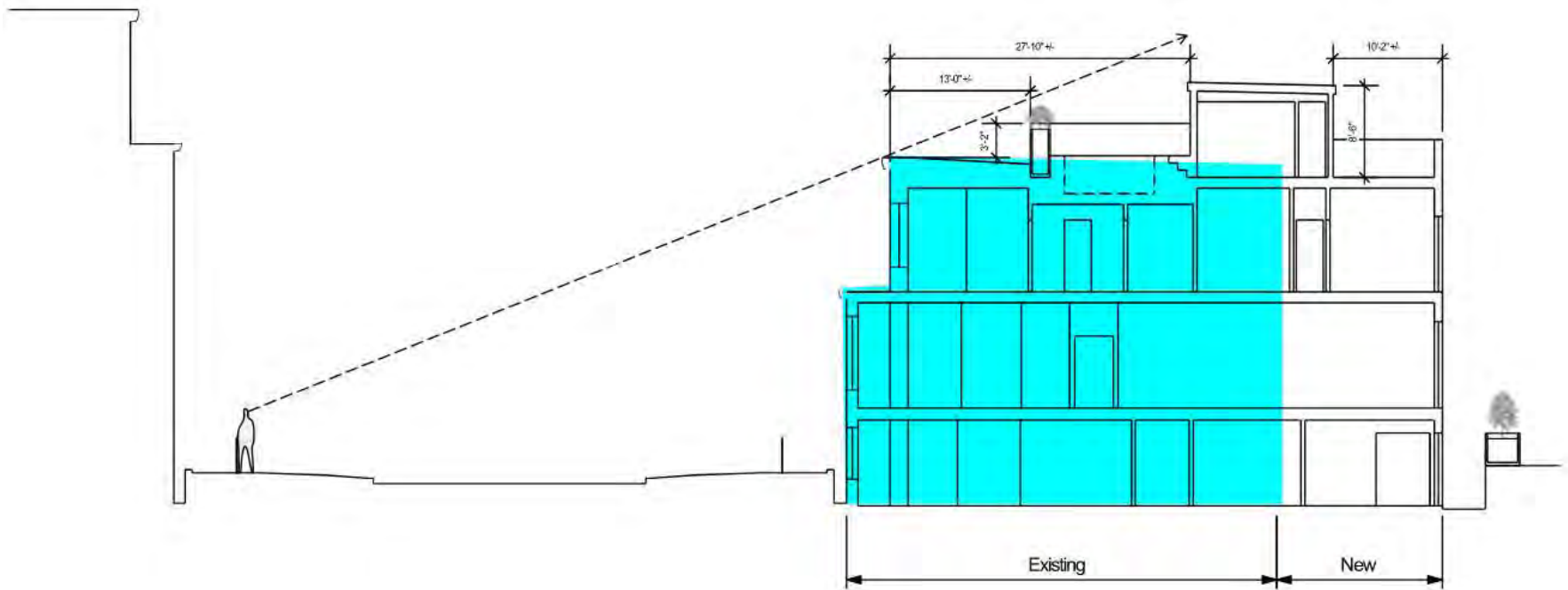
DATE:	REVISION:
04/20/21	1. ADDED TOPOGRAPHIC DATA (10/21/21)
SCALE:	1" = 10'
DRAWN:	P.K.E.
DATE:	APRIL 28, 2021
SHEET:	1 OF 1
FILE NAME:	0410-01-01

# PROPOSED FLOOR PLANS



---

# ELEVATION/SECTION VIEW





○ View from #1457 looking at #1455

FOR DESIGN PURPOSES ONLY  
addition and interior renovation for:  
**1457 Swann St NW**  
Washington, DC

07.28.21  
dj





○ View from #1457 looking at #1459

FOR DESIGN PURPOSES ONLY  
addition and interior renovation to:  
**1457 Swann St NW**  
Washington, DC

07.26.21  
djk



○ View from #1459 looking at #1457

FOR DESIGN PURPOSES ONLY  
addition and interior renovation to:  
**1457 Swann St NW**  
Washington, DC

07.26.21

GBJ



View from #1455 looking at #1457

FOR DESIGN PURPOSES ONLY  
addition and interior renovation to:  
**1457 Swann St NW**  
Washington, DC

07.26.21  
date









WEST END OF ALLEY LOOKING EAST



EAST END OF ALLEY LOOKING WEST

---





VIEW FROM ALLEY BEHIND JACOB'S  
LOOKING SOUTHEAST



VIEW LOOKING NORTHEAST

---





VIEW FROM WEST END OF ALLEY  
LOOKING SOUTHEAST



ALLEY SHOT LOOKING WEST

---



ALLEY SHOT LOOKING EAST



JACOB'S CURRENT REAR  
YARD

---





VIEW FROM JACOB'S STOOP LOOKING  
EAST



VIEW FROM JACOB'S  
STOOP LOOKING WEST

---

---

# GENERAL SPECIAL EXCEPTION CRITERIA (APPLICABLE TO ALL 3)

- Special exceptions must meet the standards of Subtitle X §901.

901.2 The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:

- (a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;
  - (b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and
  - (c) Will meet such special conditions as may be specified in this title.
-



---

**Subtitle X §901.2 (a): Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.**

The purpose and intent of the Zoning Regulations are to promote the public health, safety, morals, convenience, order, prosperity, and general welfare to:

- a) Provide adequate light and air;
- b) Prevent undue concentration of population and the overcrowding of land; and
- c) Provide distribution of population, business and industry, and use of land that will tend to create conditions favorable to transportation, protection of property, civic activity, and recreational, educational, and cultural opportunities; and that will tend to further economy and efficiency in the supply of public services.

Per Subtitle E §100.3, the purpose and intent of the RF zones is to:

- a) Recognize and reinforce the importance of neighborhood character, walkable neighborhoods, housing affordability, aging in place, preservation of housing stock, improvements to the overall environment, and low and moderate-density housing to the overall housing mix and health of the city;
- b) Allow for limited compatible non-residential uses;
- c) Allow for the matter-of-right development of existing lots of record
- d) Establish minimum lot area and dimensions for the subdivision and creation of new lots of record in RF zones;
- e) Allow for the limited conversion of rowhouse and other structures for flats; and
- f) Prohibit the conversion of flats and row houses for apartment buildings as anticipated in the RA zone.

Per Subtitles E §400.1 and E §400.2, the purpose and intent of the RF-2 zone is to:

- a) Recognize that Dupont Circle area is a unique resource in the District of Columbia that must be preserved and enhanced;
  - b) Provide strong protections to retain its low scale, predominantly residential character independent small retail businesses, human scale streetscapes, and historic character;
  - c) Enhance the residential character of the area by maintaining existing residential uses and controlling the scale and density of residential development;
  - d) Protect the integrity of "contributing buildings," as the term is defined by the Historic Landmark and Historic District Protection Act of 1978,);
  - e) Preserve areas planned as open gardens and backyards and protect the light, air, and privacy that they provide;
  - f) Enhance the streetscape by maintaining the public space in front of buildings as landscaped green spaces; and
  - g) Encourage greater use of public transportation and the free circulation of vehicles through public streets and alleys.
-

---

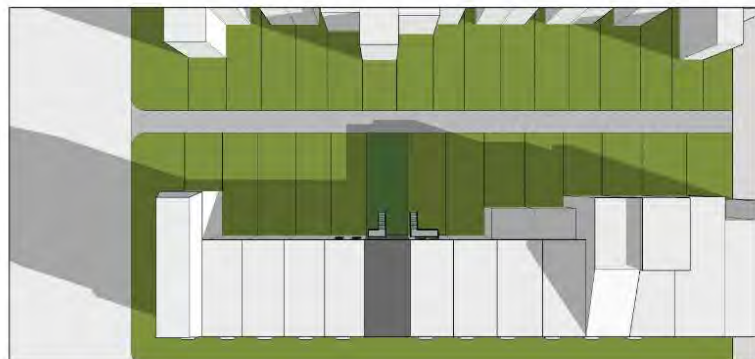
## PROVIDE ADEQUATE LIGHT AND AIR

- BULK STANDARDS ARE IN PLACE IN THE ZONING REGULATIONS TO ENSURE THAT AN ADEQUATE AMOUNT OF LIGHT AND AIR ARE AVAILABLE TO A SUBJECT PROPERTY AND TO NEIGHBORING PROPERTIES.

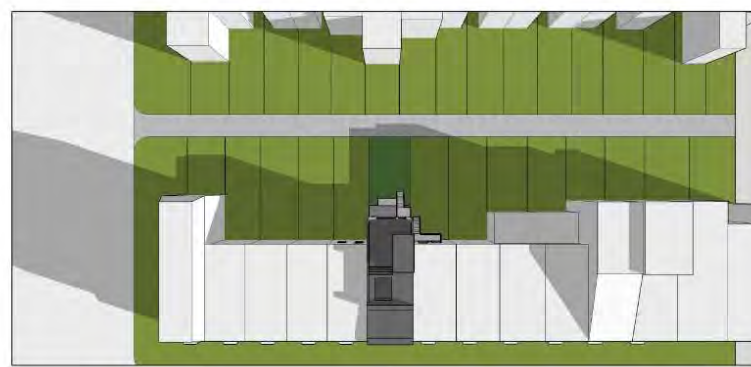
MAXIMUM HEIGHTS, MAXIMUM LOT OCCUPANCY, MINIMUM YARDS/SETBACKS

- THEY ENSURE THAT IN EACH ZONE, NO MATTER AN INDIVIDUAL PROPERTY'S SIZE, CONFIGURATION, OR OTHER CHARACTERICS, A STRUCTURE THAT IS WITHIN THE BULK STANDARDS CANNOT UNDULY AFFECT, OR AFFECT ADVERSELY, OTHER PROPERTIES LIGHT AND AIR.
  - IN OTHER WORDS, WHEN A STRUCTURE CONFORMS TO ALL BULK STANDARDS, IT IS IMPOSSIBLE FOR THE STRUCTURE NOT TO BE WITHIN THE ZONING REGULATIONS PERTAINING TO LIGHT AND AIR, AND IT IS IMPOSSIBLE FOR THE STRUCTURE TO UNDULY OR ADVERSELY AFFECT THE LIGHT AND AIR TO NEIGHBORING PROPERTIES.
-

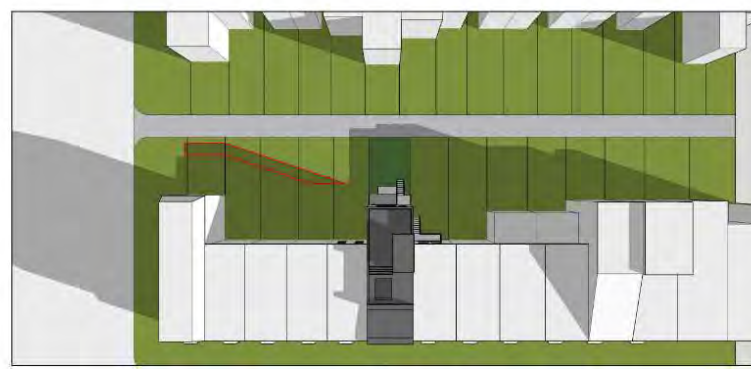




Existing



Matter of Right - 10' Extension



Proposed - 15' Extension

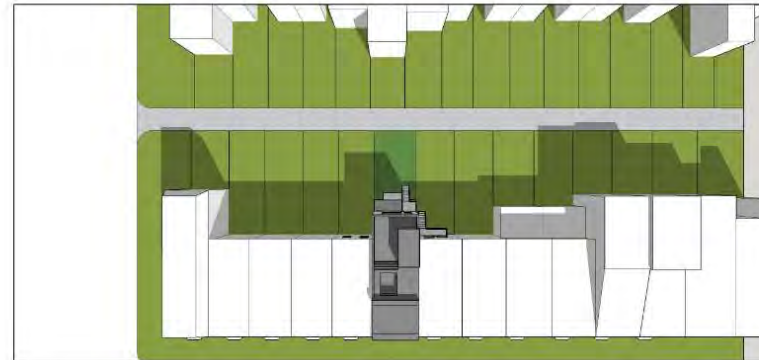
— ADDITIONAL SHADE FROM PROPOSED

⊕ SPRING/FALL EQUINOX- 9:00 AM  
 Washington, DC  
 Latitude: 38.915000N Longitude: 77.034047W

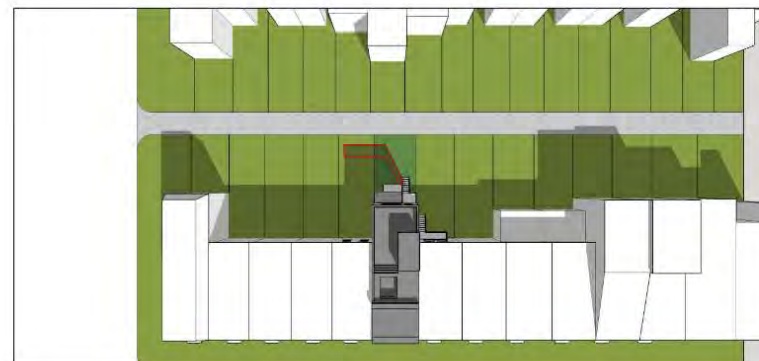
FOR DESIGN PURPOSES ONLY  
 addition and interior renovation to:  
 1457 Swann St NW 08.12.21  
 Washington, DC date



Existing



Matter of Right - 10' Extension



Proposed - 15' Extension

— ADDITIONAL SHADE FROM PROPOSED



SPRING/FALL EQUINOX- 12:00 PM  
Washington, DC  
Latitude: 38.915000N Longitude: 77.034047W

FOR DESIGN PURPOSES ONLY  
addition and interior renovation to:  
1457 Swann St NW  
Washington, DC

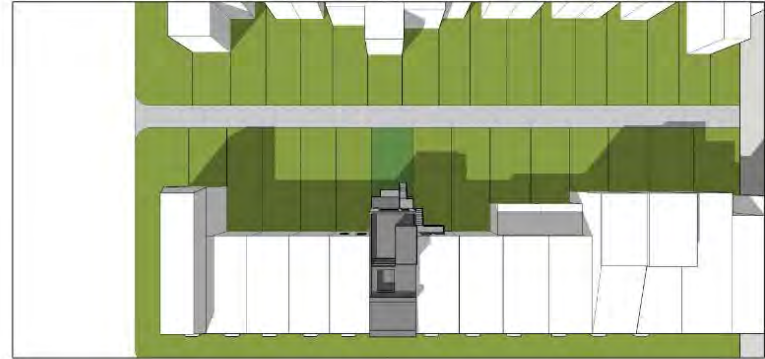
08.12.21  
date

SS-1.02

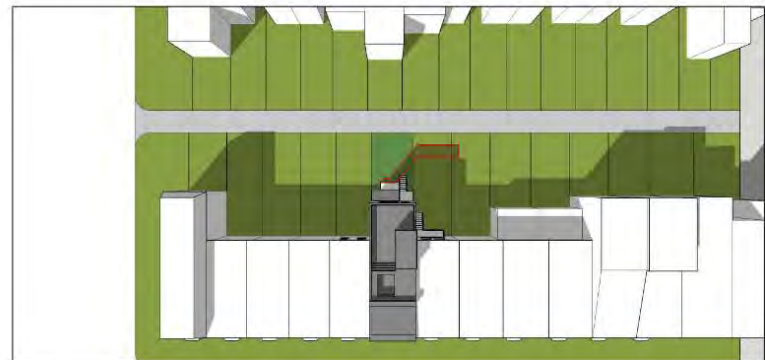




Existing



Matter of Right - 10' Extension



Proposed - 15' Extension

— ADDITIONAL SHADE FROM PROPOSED



SPRING/FALL EQUINOX- 3:00 PM  
Washington, DC  
Latitude: 38.915000N Longitude: 77.034047W

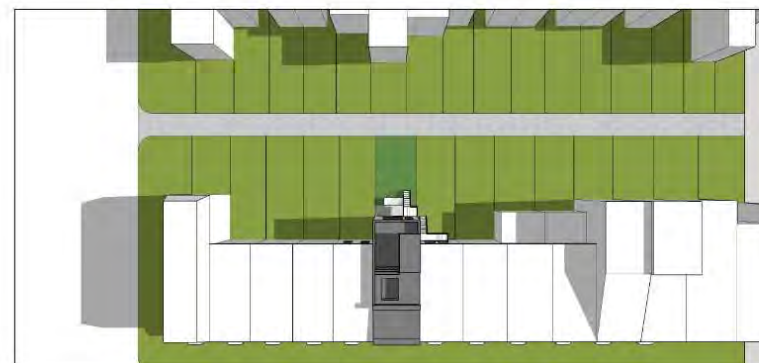
FOR DESIGN PURPOSES ONLY  
addition and interior renovation to:  
1457 Swann St NW  
Washington, DC

08.12.21  
date

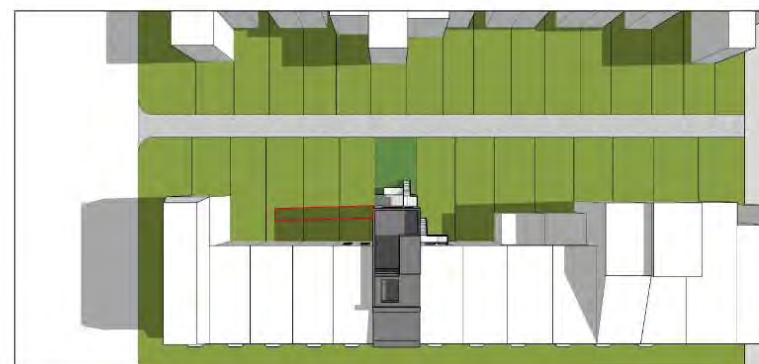
SS-1.03



Existing



Matter of Right - 10' Extension



Proposed - 15' Extension

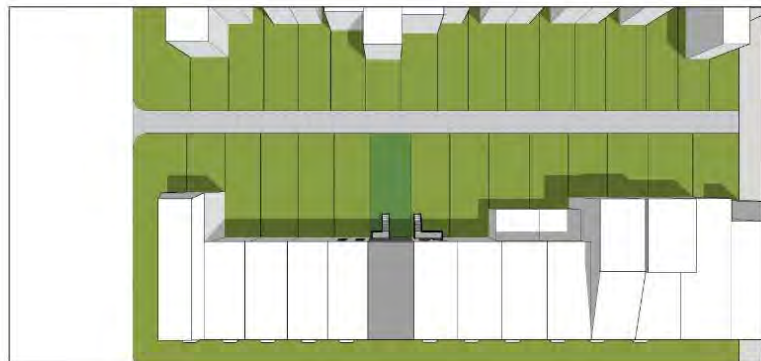
— ADDITIONAL SHADE  
FROM PROPOSED

⊕ SUMMER SOLSTICE- 9:00 AM  
Washington, DC  
Latitude: 38.915000N Longitude: 77.034047W

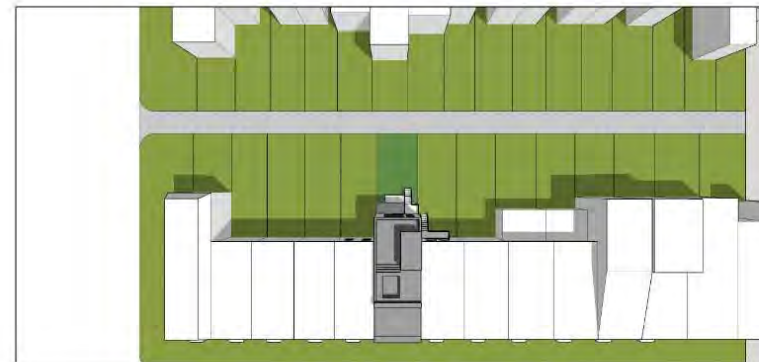
FOR DESIGN PURPOSES ONLY  
addition and interior renovation to:  
**1457 Swann St NW**  
Washington, DC

08.12.21  
date

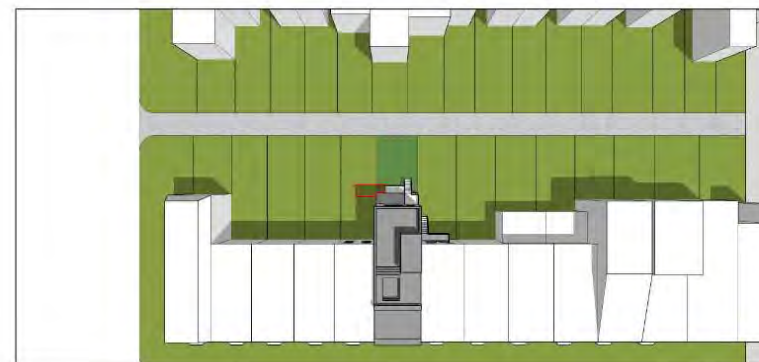
**SS-1.04**



Existing



Matter of Right - 10' Extension



Proposed - 15' Extension

— ADDITIONAL SHADE FROM PROPOSED

⊕ SUMMER SOLSTICE- 12:00 PM  
Washington, DC  
Latitude: 38.915000N Longitude: 77.034047W

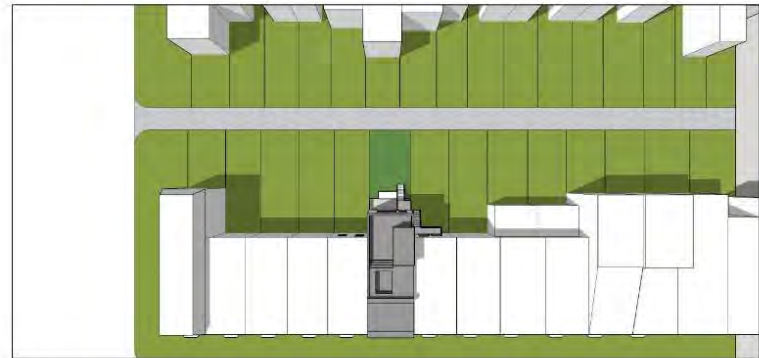
FOR DESIGN PURPOSES ONLY  
addition and interior renovation to:  
**1457 Swann St NW**  
Washington, DC

08.12.21  
date

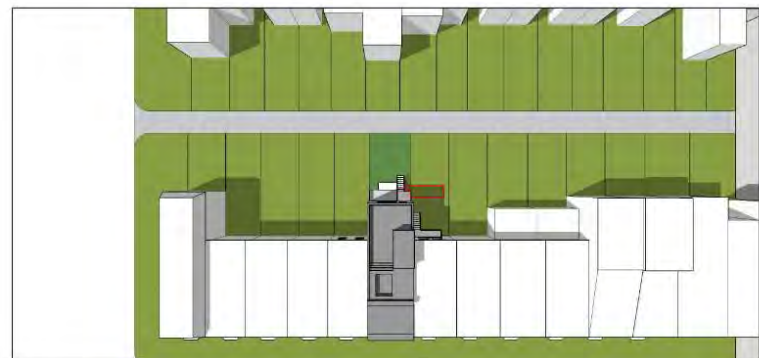
**SS-1.05**



Existing



Matter of Right - 10' Extension



Proposed - 15' Extension

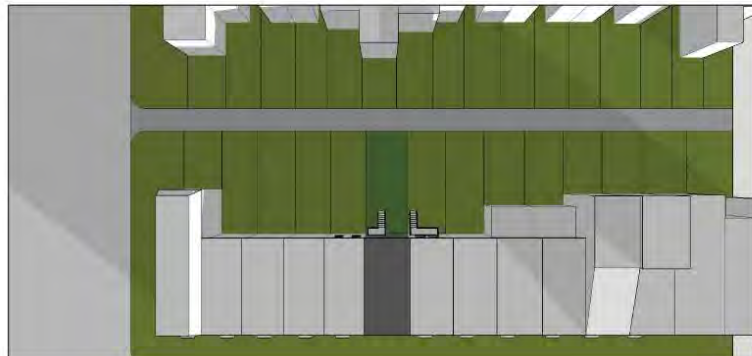
— ADDITIONAL SHADE FROM PROPOSED

⊕ SUMMER SOLSTICE- 3:00 PM  
Washington, DC  
Latitude: 38.915000N Longitude: 77.034047W

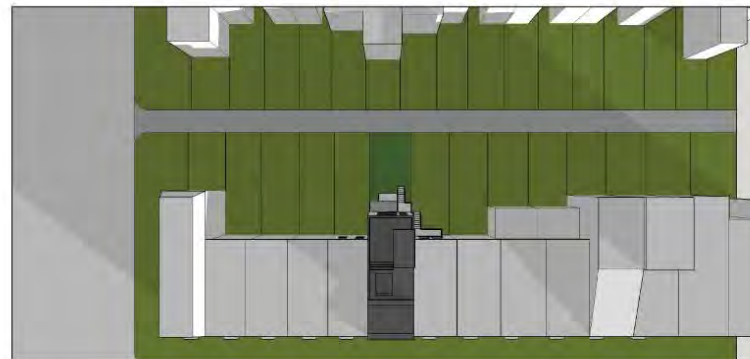
FOR DESIGN PURPOSES ONLY  
addition and interior renovation to:  
1457 Swann St NW  
Washington, DC

08.12.21  
date

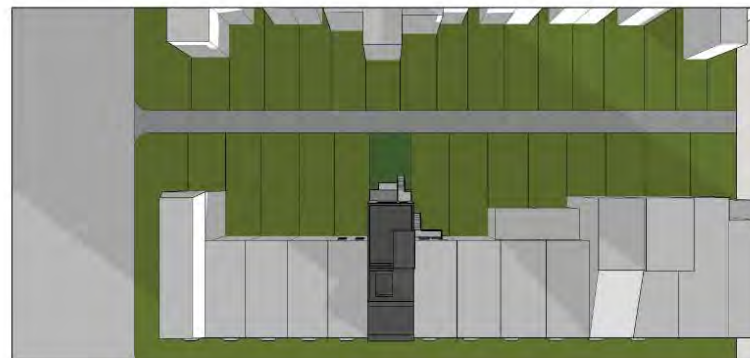
SS-1.06



Existing



Matter of Right - 10' Extension



Proposed - 15' Extension

— ADDITIONAL SHADE  
FROM PROPOSED

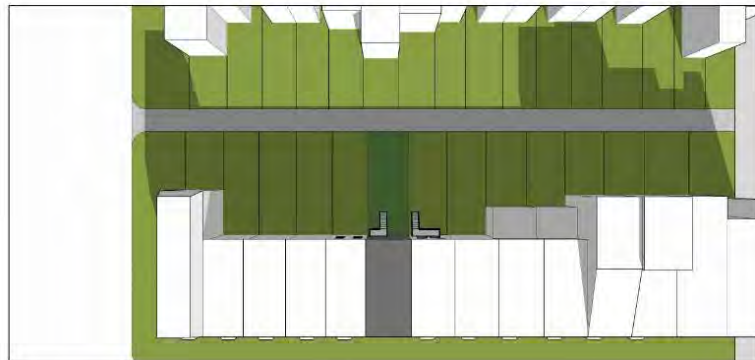
⊕ WINTER SOLSTICE- 9:00 AM  
Washington, DC  
Latitude: 38.915000N Longitude: 77.034047W

FOR DESIGN PURPOSES ONLY:  
addition and interior renovation to:  
1457 Swann St NW  
Washington, DC

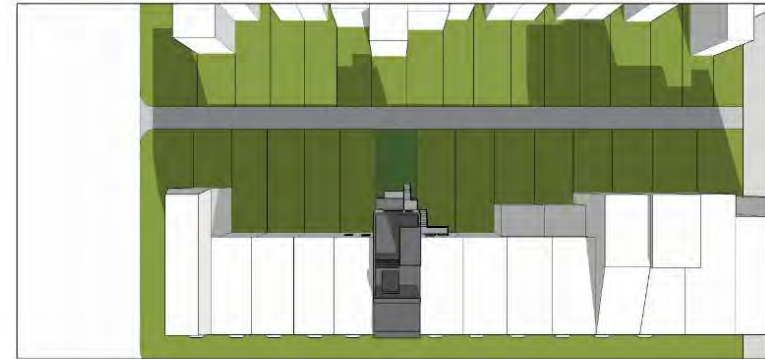
08.12.21  
date

SS-1.07

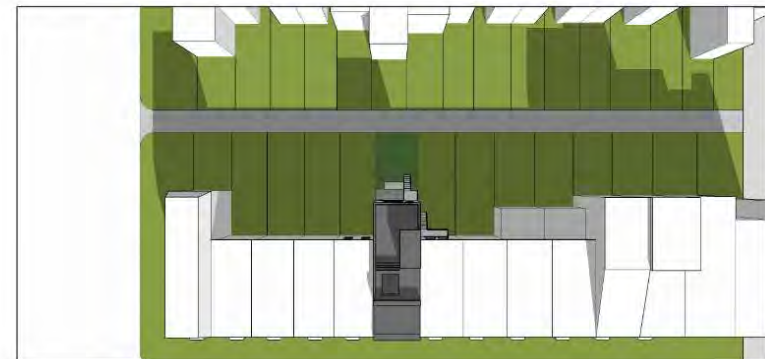




Existing



Matter of Right - 10' Extension



Proposed - 15' Extension

— ADDITIONAL SHADE FROM PROPOSED

⊕ WINTER SOLSTICE- 12:00 PM  
Washington, DC  
Latitude: 38.915000N Longitude: 77.034047W

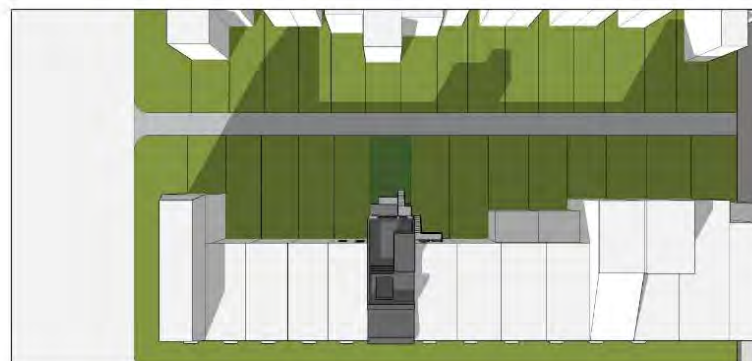
FOR DESIGN PURPOSES ONLY  
addition and interior renovation to:  
**1457 Swann St NW**  
Washington, DC

08.12.21  
date

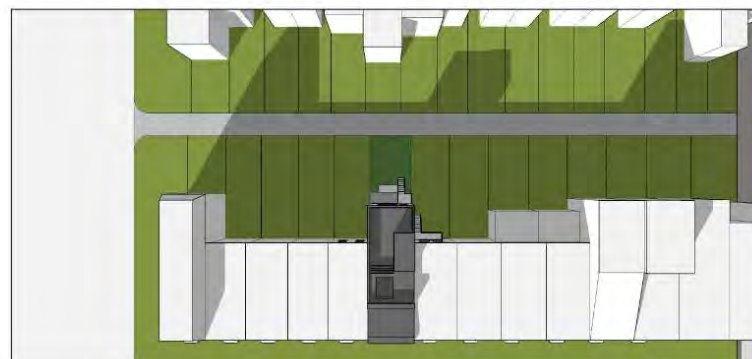
**SS-1.08**



Existing



Matter of Right - 10' Extension



Proposed - 15' Extension

— ADDITIONAL SHADE FROM PROPOSED

⊕ WINTER SOLSTICE- 3:00 PM  
Washington, DC  
Latitude: 38.915000N Longitude: 77.034047W

FOR DESIGN PURPOSES ONLY  
addition and interior renovation to:  
**1457 Swann St NW** 08.12.21  
Washington, DC data

---

## PREVENT UNDUE CONCENTRATION OF POPULATION AND THE OVERCROWDING OF LAND

- THIS PROJECT MEETS THIS CONDITION.
  - THE BUILDING IS AN EXISTING FLAT AND IS REMAINING A FLAT.
  - THE STRUCTURE IS WITHIN ALL OF THE BULK STANDARDS.
-



---

PROVIDE DISTRIBUTION OF POPULATION, BUSINESS AND INDUSTRY, AND USE OF LAND THAT WILL TEND TO CREATE CONDITIONS FAVORABLE TO TRANSPORTATION, PROTECTION OF PROPERTY, CIVIC ACTIVITY, AND RECREATIONAL, EDUCATIONAL, AND CULTURAL OPPORTUNITIES, AND THAT WILL TEND TO FURTHER ECONOMY AND EFFICIENCY IN THE SUPPLY OF PUBLIC SERVICES

- THIS PROJECT MEETS THIS CONDITION.
-

---

THE PURPOSE AND INTENT OF THE RF ZONES IS TO:  
RECOGNIZE AND REINFORCE THE IMPORTANCE OF NEIGHBORHOOD CHARACTER,  
WALKABLE NEIGHBORHOODS, HOUSING AFFORDABILITY, AGING IN PLACE,  
PRESERVATION OF HOUSING STOCK, IMPROVEMENTS TO THE OVERALL  
ENVIRONMENT, AND LOW AND MODERATE-DENSITY HOUSING TO THE OVERALL  
HOUSING MIX AND HEALTH OF THE CITY

- THIS PROJECT MEETS THIS CONDITION.
  - THIS ADDITION AND RENOVATION ALLOWS JACOB TO AGE IN PLACE.
  - IT WAS THOUGHTFULLY DESIGNED IN RECOGNITION OF THE NEIGHBORHOOD CHARACTER.
  - IT PRESERVES HOUSING STOCK.
  - IT MAINTAINS LOW DENSITY HOUSING.
  - IT INCREASES HOUSING AFFORDABILITY BY TURNING THE BASEMENT UNIT INTO A 2 BEDROOM UNIT.
-

- 
- ALLOW FOR LIMITED COMPATIBLE NON-RESIDENTIAL USES
  - ALLOW FOR THE MATTER-OF-RIGHT DEVELOPMENT OF EXISTING LOTS OF RECORD
  - ESTABLISH MINIMUM LOT AREAS AND DIMENSIONS FOR THE SUBDIVISION AND CREATION OF NEW LOTS OF RECORD IN RF ZONES
  - ALLOW FOR THE LIMITED CONVERSION OF ROW HOUSES AND OTHER STRUCTURES FOR FLATS
  - PROHIBIT THE CONVERSION OF FLATS AND ROW HOUSES FOR APARTMENT BUILDINGS AS ANTICIPATED IN THE RA ZONE.

- THIS PROJECT MEETS THESE CONDITIONS, AS THEY ARE N/A AND THIS PROJECT DOES NOT CONFLICT WITH THEM.
-



---

THE PURPOSE AND INTENT OF THE RF-2 ZONE IS TO:  
RECOGNIZE THAT DUPONT CIRCLE AREA IS A UNIQUE RESOURCE IN THE DISTRICT OF  
COLUMBIA THAT MUST BE PRESERVED AND ENHANCED;

- THIS PROJECT MEETS THIS CONDITION.
  - IT IS PRESERVING AND ENHANCING DUPONT CIRCLE.
-

---

PROVIDE STRONG PROTECTIONS TO RETAIN ITS LOW SCALE, PREDOMINANTLY RESIDENTIAL CHARACTER, INDEPENDENT RETAIL SMALL BUSINESSES, HUMAN SCALE STREETSAPES, AND HISTORIC CHARACTER

- THIS PROJECT MEETS THIS CONDITION.
- THE PROPERTY IS REMAINING A LOW SCALE FLAT.
- THE PROPERTY IS REMAINING RESIDENTIAL.
- THE STREETSAPES IS NOT BEING IMPACTED AT ALL.
- THIS PROJECT WAS BROUGHT IN FRONT OF THE HPRB IN JULY AND THE BOARD UNANIMOUSLY APPROVED IT 8-0.

1457 Swann Street NW, HPA 21-417, concept/two-story plus penthouse rear addition.  
*The Board found the scale and massing of the concept compatible with the character of the U Street Historic District and delegated final review and approval to staff. Vote: 8-0*

---

---

## HPO STAFF REPORT

### **Evaluation**

The rear addition is compatible in height, size and materials with the character of the historic district and consistent with previous Board approvals. The roof addition and deck are appropriately set back from the front, will not be visible from street view, and do not overwhelm the underlying building in scale or massing.

HPO inspected a mock-up of the addition and determined that it will not be visible from the public right of way. As the project moves toward permitting, the applicant will ensure that the proposed deck railing and planters will not be visible through another flag test, as necessary. HPO recommends adding stucco or fiber cement paneling for the siding addition.

The rear addition will require zoning relief, as it will extend more than 10 feet beyond neighboring properties. However, from a compatibility standpoint, the addition is not out of scale with other additions on this block and throughout the historic district.

### **Recommendation**

*The HPO recommends that the Board finds the scale and massing of the concept compatible with the character of the historic district and consistent with the purposes of the Act, and that final review be delegated to staff.*

---



---

ENHANCE THE RESIDENTIAL CHARACTER OF THE AREA BY MAINTAINING EXISTING  
RESIDENTIAL USES AND CONTROLLING THE SCALE AND DENSITY OF RESIDENTIAL  
DEVELOPMENT

- THIS PROJECT MEETS THIS CONDITION.
  - AN EXISTING RESIDENTIAL USE IS BEING MAINTAINED, AND THE SCALE IS APPROPRIATE AND CONTROLLED, BOTH PER HPO AND HPRB, AND PER THE BULK STANDARDS IN THE ZONING REGULATIONS.
-

---

PROTECT THE INTEGRITY OF “CONTRIBUTING BUILDINGS,” AS THE TERM IS DEFINED BY THE HISTORIC LANDMARK AND HISTORIC DISTRICT PRESERVATION ACT OF 1978.

- THIS PROJECT MEETS THIS CONDITION.
- THIS IS A CONTRIBUTING BUILDING, AND THE INTEGRITY IS BEING PROTECTED AS EVIDENCED BY HPRB’S RULING.



---

PRESERVE AREAS PLANNED AS OPEN GARDENS AND BACKYARDS AND PROTECT THE LIGHT, AIR, AND PRIVACY THAT THEY PROVIDE

- THIS PROJECT MEETS THIS CONDITION.
  - THIS IS NOT A PROPERTY PLANNED AS AN OPEN GARDEN.
  - THE RESULTING BACK YARD IS ALMOST 30' DEEP, APPROX. 10' DEEPER THAN REQUIRED IN ORDER TO PROTECT LIGHT AND AIR TO PROPERTIES.
  - THIS ADDITION INCREASES PRIVACY TO ADJACENT NEIGHBORS
-

---

ENHANCE THE STREETScape BY MAINTAINING THE PUBLIC SPACE IN FRONT OF BUILDINGS AS LANDSCAPED GREEN SPACE.

- THIS PROJECT MEETS THIS CONDITION.
- THERE ARE NO CHANGES TO THE EXISTING ELEVATION FACING SWANN ST., AND THERE ARE NO CHANGES TO THE EXISTING LANDSCAPING AND GREEN SPACE IN FRONT.





---

ENCOURAGE GREATER USE OF PUBLIC TRANSPORTATION AND THE FREE  
CIRCULATION OF VEHICLES THROUGH PUBLIC STREETS AND ALLEYS.

- THIS PROJECT MEETS THIS CONDITION.
  - THIS PROPERTY THAT IS BEING ENHANCED AND MADE MORE LIVABLE FOR JACOB AND FOR RESIDENTS IN THE FUTURE IS IN A GREAT LOCATION FOR PUBLIC TRANSPORTATION USE.
-

---

## SPECIFIC SPECIAL EXCEPTION CRITERIA C § 1500.4 – HAVING A PENTHOUSE

- 1500.4 Notwithstanding Subtitle C § 1500.3, a penthouse, other than screening for rooftop mechanical equipment or a guard-rail required by Title 12 of the DCMR, D.C. Construction Code for a roof deck, shall not be permitted on the roof of a detached dwelling, semi-detached dwelling, rowhouse or flat in any zone; however, the Board of Zoning Adjustment may approve a penthouse as a special exception under Subtitle X, Chapter 9, provided the penthouse:
- (a) Is no more than ten feet (10 ft.) in height and contains no more than one (1) story; and
  - (b) Contains only stair or elevator access to the roof, and a maximum of thirty square feet (30 sq. ft.) of storage space ancillary to a rooftop deck.

- OUR PROJECT MEETS THESE CONDITIONS
- THE PENTHOUSE IS APPROX. 8 ½' HIGH AND ONLY 1 STORY.
- IT ONLY CONTAINS STAIR ACCESS TO THE ROOF AND 30 SF OF ANCILLARY STORAGE SPACE TO A ROOFTOP DECK.

---

**SPECIFIC SPECIAL  
EXCEPTION CRITERIA  
C § 1502.1 – NO 1:1 SIDE  
SETBACK**

**1504**

**RELIEF TO PENTHOUSE REQUIREMENTS**

1504.1

Relief to the requirements of Subtitle C §§ 1500.6 – 1500.10 and 1502 may be granted as a special exception by the Board of Zoning Adjustment subject to Subtitle X, Chapter 9 and subject to the following considerations:

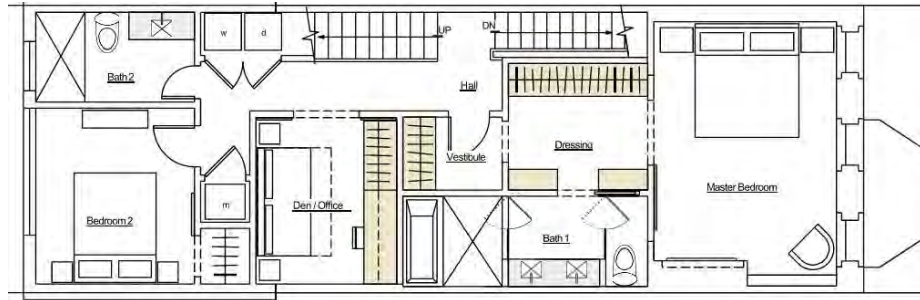
- (a) The strict application of the requirements of this chapter would result in construction that is unduly restrictive, prohibitively costly, or unreasonable, or is inconsistent with building codes;
- (b) The relief requested would result in a better design of the roof structure without appearing to be an extension of the building wall;
- (c) The relief requested would result in a roof structure that is visually less intrusive;
- (d) Operating difficulties such as meeting D.C. Construction Code, Title 12 DCMR requirements for roof access and stairwell separation or elevator stack location to achieve reasonable efficiencies in lower floors; size of building lot; or other conditions relating to the building or surrounding area make full compliance unduly restrictive, prohibitively costly or unreasonable;
- (e) Every effort has been made for the housing for mechanical equipment, stairway, and elevator penthouses to be in compliance with the required setbacks; and
- (f) The intent and purpose of this chapter and this title shall not be materially impaired by the structure, and the light and air of adjacent buildings shall not be affected adversely.

---

THE STRICT APPLICATION OF THE REQUIREMENTS OF THIS CHAPTER WOULD RESULT IN CONSTRUCTION THAT IS UNDULY RESTRICTIVE, PROHIBITIVELY COSTLY, OR UNREASONABLE, OR IS INCONSISTENT WITH BUILDING CODES.

- **THIS PROJECT MEETS THIS CONDITION.**

- The property is 17'6" wide. IBC requires a minimum ceiling height of 7' which drives a minimum penthouse height when accounting for roof structure of approx. 8'6". It is impossible to have stair access, let alone code compliant stair access, within the 1:1 side setback. The height and width of the stair access could only be 6". In other words, the width of the property makes compliance with the side setbacks impossible.
- It is also unreasonable and prohibitively costly for stair access to the roof to be anywhere other than where it is proposed. The existing stairs in the home to the second floor are along this east wall, so it would require significant interior demolition and structural reconfiguration to shift this stair away from the wall. Additionally, with the property being 17'6" wide, and as a result the interior width being approx. 16' wide, placing the stairs anywhere other than along the side wall will greatly reduce the habitable area of the home.





---

THE RELIEF REQUESTED WOULD RESULT IN A BETTER DESIGN OF THE ROOF STRUCTURE WITHOUT APPEARING TO BE AN EXTENSION OF THE BUILDING.

- THIS PROJECT MEETS THIS CONDITION

- 4' of the approx. 8'6" in height will be constructed to appear as a parapet wall on the east side of the roof. The remaining approx. 4'6" in structure height will be stepped in approx. 3" to provide a visual distinction that this penthouse is not an extension of the building wall.
-

---

THE RELIEF REQUESTED WOULD RESULT IN A ROOF STRUCTURE THAT IS VISUALLY  
LESS INTRUSIVE

- THIS PROJECT MEETS THIS CONDITION

- The proposed penthouse for roof access is much less intrusive than the other option, which would be to construct the rear addition with the 2<sup>nd</sup> story roof height at the 35' limit, and then have access to the roof from within this addition area. With a penthouse in its proposed location, 9' of the 13' depth is on top of the current roof, which allows 11' of the 15' addition to be maintained at the existing building height that is approx. 8' below the 35' limit.
-

---

OPERATING DIFFICULTIES SUCH AS MEETING D.C. CONSTRUCTION CODE, TITLE 12  
DCMR REQUIREMENTS FOR ROOF ACCESS AND STAIRWELL SEPARATION OR  
ELEVATOR STACK LOCATION TO ACHIEVE REASONABLE EFFICIENCIES IN LOWER  
FLOORS; SIZE OF BUILDING LOT; OR OTHER CONDITIONS RELATING TO THE BUILDING  
OR SURROUNDING AREA MAKE FULL COMPLIANCE UNDULY RESTRICTIVE,  
PROHIBITIVELY COSTLY OR UNREASONABLE

- **THIS PROJECT MEETS THIS CONDITION**

- As mentioned previously, the width of the lot makes it impossible for the penthouse to achieve the 1:1 setback, and stair access cannot reasonably be located anywhere other than where it is proposed without causing the property owner an enormous amount of extra work and costs, and without causing the resulting home to be significantly less efficient.
-

---

EVERY EFFORT HAS BEEN MADE FOR THE HOUSING FOR MECHANICAL EQUIPMENT,  
STAIRWAY, AND ELEVATOR PENTHOUSES TO BE IN COMPLIANCE WITH THE REQUIRED  
SETBACKS

- THIS PROJECT MEETS THIS CONDITION
- The required setback is impossible to achieve due to lot width.

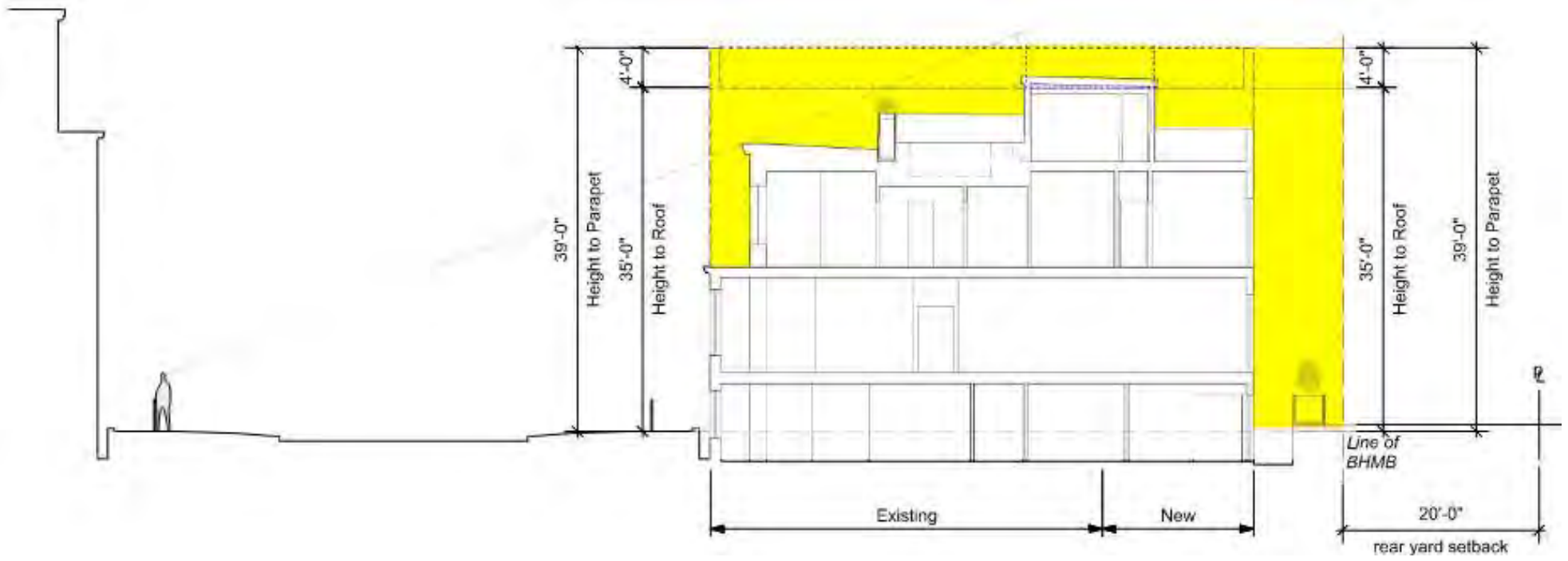


---

THE INTENT AND PURPOSE OF THIS CHAPTER AND THIS TITLE SHALL NOT BE MATERIALLY IMPAIRED BY THE STRUCTURE, AND THE LIGHT AND AIR OF ADJACENT BUILDINGS SHALL NOT BE AFFECTED ADVERSELY.

- THIS PROJECT MEETS THIS CONDITION

- As we discussed and showed previously with exhibits, this addition does not adversely affect or materially impair the light and air of adjacent buildings. This building is significantly under the maximum allowable height and minimum required rear yards. Only past these standards can an adverse impact to light and air begin to arise as a possibility.



---

**SPECIFIC SPECIAL  
EXCEPTION CRITERIA  
E § 205.5 – ADDITION  
FARTHER THAN 10’ BEYOND  
THE FARTHEST REAR WALL  
OF ANY PRINCIPAL  
RESIDENTIAL BUILDING ON  
ANY ADJACENT PROPERTY**

- 205.5 A rear wall of a row 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 any adjacent property if approved as a special exception pursuant to Subtitle X, Chapter 9, and subject to Subtitle E § 5201 if applicable.
- 5201.4 An application for special exception relief under this section shall demonstrate that the proposed addition, new building, or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, specifically:
- (a) The light and air available to neighboring properties shall not be unduly affected;
  - (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;
  - (c) The proposed addition or accessory structure, together with the original building, or the new principal 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 street or alley frontage; and
  - (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.

---

THE LIGHT AND AIR AVAILABLE TO NEIGHBORING PROPERTIES SHALL NOT BE UNDULY  
COMPROMISED

- THIS PROJECT MEETS THIS CONDITION
  - This is an important purpose of zoning ordinances, and one that is found throughout the regulations. As we've gone into previously in great detail, this addition does not and cannot unduly compromise light and air to neighboring properties per the zoning regulations.
-



---

THE PRIVACY OF USE AND ENJOYMENT OF NEIGHBORING PROPERTIES SHALL NOT BE  
UNDULY COMPROMISED

- THIS PROJECT MEETS THIS CONDITION
  - This desired addition increases and improves the privacy for neighboring properties.
  - Although the additional shading this addition will provide for other properties is minimal, summertime in DC can get unbearably hot, and many people seek out any amount of shade they can get when looking to spend time outside.
-

---

THE PROPOSED ADDITION OR STRUCTURE, TOGETHER WITH THE ORIGINAL BUILDING, OR THE NEW PRINCIPAL 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 STREET OR ALLEY FRONTAGE

- **THIS PROJECT MEETS THIS CONDITION**
  - HPO and HPRB, who follow and enforce very strict guidelines, reviewed this proposed addition, and it gained staff support and a unanimous 8-0 approval from the board. They reviewed it from the street, where no part of the addition will be visible, and they viewed it from the alley and from 15<sup>th</sup> St. They found the scale and massing to be compatible with the neighborhood.
-



WEST END OF ALLEY LOOKING EAST



EAST END OF ALLEY LOOKING WEST

---





VIEW FROM ALLEY BEHIND JACOB'S  
LOOKING SOUTHEAST



VIEW LOOKING NORTHEAST

---





---

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.

- We've included numerous photos, elevations, drawings, and other graphical representations showing the relationship between this proposed project and adjacent buildings, the square, and views from public ways.
-



---

# CLOSING

## Special Exception

---

A special exception is a conditioned, permitted use in a particular zone district; that is, the use is permitted provided certain specific criteria are met to ensure that certain negative impacts will not occur. A Special Exception may be granted for a particular use of land or for a particular building.

Thank you,  
Jacob, Patrick, and Ryan

---