

APPLICATION OF BEHZAD HOSSIENKHANI TRUSTEE

BZA NO. 21167

527 FLORIDA AVENUE NW

NATURE OF RELIEF SOUGHT

-
- Special Exception from the following provisions:
 - Subtitle G, Chapter 2, § 210.1 (% of lot occupancy)
 - Subtitle G, Chapter 2, § 207.6 (Rear Yard setback)
 - Subtitle C, Chapter 2 § 202.2 (a), (b) (c) (nonconforming structure provisions)
 - Pursuant to Subtitles X, §§ 900.2, G, 5200.1 and G, 207.14

BURDEN OF PROOF FOR SPECIAL EXCEPTION

- The Board is authorized to grant special exceptions, as provided in this title, where in the judgment of the Board of Zoning Adjustment, the special exceptions:
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- (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.



BURDEN OF PROOF SPECIAL EXCEPTION

(A). WILL BE IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING REGULATIONS AND ZONING MAPS.

- The intent and purpose of the MU-4 zone district set forth under Subtitle G, Chapter 1, §§ 101.1 and 101.2 within which subject property is located, is in summary to provide for mixed-use development ranging from commercial, institutional to multiple-dwelling residential development at varying densities, specifically housing, residential, office, service and employment centers.
- The subject property proposes to devote the entirety of the building to a residential use (Flat), and the building is significantly less than the maximum density in the underlying zone district allowed and therefore is in harmony with the general purpose and intent of the Zoning Regulations

COMPLIANCE WITH BURDEN OF PROOF

(B). WILL NOT TEND TO AFFECT ADVERSELY, THE USE OF NEIGHBORING PROPERTY IN ACCORDANCE WITH THE ZONING REGULATIONS AND ZONING MAPS.

- The subject property is among a cluster of neighboring properties which share common rear yards, one of which together abuts the 15 feet public alley.
- All adjoining properties north-west and south-east of subject property fronting on Florida Avenue NW are located within the same MU-4 zone district.
- The subject property shares partial abutting lot lines with only two of the row dwelling North of it and located in RF-1 zone district. The immediately adjoining area of the two properties are in fact the rear yards of the properties located in the RF-1 zone district.
- The deck is unenclosed and will not result in casting a shadow on adjoining properties and will not tend to affect adversely the privacy of use of adjoining properties.
- The project will comply with all other development standards applicable in the underlying zone district of location, save for the areas of relief it is otherwise compelled to request.
- For the foregoing reasons, the applicant submits that granting the special exception requested will not tend to affect adversely, the use of neighboring properties in accordance with the Zoning Regulations and Zoning Maps.

COMPLIANCE WITH BURDEN OF PROOF

(c). Will meet such special conditions as may be specified in this title

The Applicant seeks special exception relief from the minimum required rear yard pursuant to Subtitle G, Chapter 2, § 207.14 and the conditions specified and set forth under (a) through (e), (1), (2) and (3)

COMPLIANCE WITH CONDITIONS

- *(a) No apartment window shall be located within forty feet (40 ft.) directly in front of another building;*
- No apartment window is located within forty feet (40 ft.) directly in front of the building given the context of the cluster of properties congregating in the rear of the subject property
- Further, there will be no net change in the existing distance between apartment windows and/or another building.
- *(b) No office window shall be located within thirty feet (30 ft.) directly in front of another office window, nor eighteen feet (18 ft.) in front of a blank wall;*
- The immediately adjoining zone district is the residential RF-1 zone district. Hence no office window exists within the requisite distance.

COMPLIANCE WITH CONDITIONS

- *(c) In buildings that are not parallel to the adjacent buildings, the angle of sight lines and the distance of penetration of sight lines into habitable rooms shall be considered in determining distances between windows and appropriate yards;*
- The buildings not parallel to the subject property are located within the RF-1 zone district and arranged in such physical manner that sight lines into habitable space is foreclosed by distance
- *(d) Provision shall be included for service functions, including parking and loading access and adequate loading areas; and*
- The subject project of application is a two-unit residential use not subject to any parking and loading requirement. Moreover, the subject property is only pedestrian accessible from the rear via a 15-foot public alley

COMPLIANCE WITH CONDITIONS

- *(e) Upon receiving an application for relief from rear yard requirements of this section, the Board of Zoning Adjustment shall submit the application to the Office of Planning for coordination, review, report, and impact assessment, along with coordination of reviews in writing from all relevant District of Columbia departments and agencies, including:*
 - *(1) The District Department of Transportation;*
 - *(2) The Department of Housing and Community Development; and*
 - *(3) The Historic Preservation Office if the application involves a historic district or historic landmark.*
- The subject property of application is located within the Ledroit Park Historic District.
- The approval of HPO is predicated on BZA Approval

APPROVED FLOOR PLANS

MU-4 Zoning District - ZONING APPROVAL for the INTERIOR RENOVATIONS to an existing Single-Family Row Dwelling and Change-of-Use to a TWO-FAMILY FLAT per submitted plans. NO OTHER WORK AUTHORIZED UNDER THIS PERMIT.

ZONING APPROVAL is subject to the following CONDITIONS:

- NO EXTERIOR STRUCTURES: No work has been proposed or authorized for any Additions, Stairs, Fences, Aareways, DECKS, etc. Scope of work limited to interior only
- REAR DECK: Non-Conforming Rear Deck is subject to Stop-Work-Order

23ENF-IC-03465; Rear deck is not included or authorized in the scope of work of this permit and requires relief from the Board of Zoning Adjustment. Applicant must obtain a building permit for the rear deck

legend

(see cover sheet for insulation rating)

EXISTING MASONRY WALL TO REMAIN

EXISTING INTERIOR WALL TO REMAIN

NEW 2"x4" WOOD OR 3-5/8" METAL STUD @ 16" O.C. WITH 1/2" GYPSUM BOARD ON EACH SIDE.

FIRE RATED WALL ASSEMBLIES EXISTING TO REMAIN MIN ONE HOUR AT UNITS SEPARATION / MIN TWO HOUR AT STAIRS AND CORRIDORS

window notes:

- * ALL BEDROOMS (I.E. SLEEPING ROOMS) SHALL HAVE AN EMERGENCY ESCAPE WINDOW (RCS 1516, 1009; RCS 1516, 310). HIS WINDOW SHALL BE LOCATED ABOVE THE FINISHED FLOOR OF THE ROOM. THE MINIMUM CLEAR HEIGHT OF 24 INCHES AND A CLEAR WIDTH OF 20 INCHES. THE MAXIMUM HEIGHT OF THE CLEAR OPENING FROM THE FLOOR IS 44 INCHES. (RCS 1516, 310, RCS 1516, 315).
- * WINDOWS IN R-2 UNITS SHALL HAVE GUARDS WHERE THE OPENING OF THE SILL PORTION OF AN OPERABLE WINDOW IS LOCATED MORE THAN 36 INCHES ABOVE THE FINISHED FLOOR OF THE ROOM. THE GUARD'S LOWEST PART OF THE CLEAR OPENING OF THE WINDOW IS AT A HEIGHT LESS THAN 36 INCHES ABOVE THE FINISHED FLOOR OF THE ROOM.
- * THE SECOND STORY BALCONY SHALL BE PERMANENTLY FENCED TO ALLOW THE PASSAGE OF A 4 INCHES DIAMETER SPHERE WHERE SUCH OPENINGS ARE LOCATED WITHIN 36 INCHES OF THE FLOOR (2017 DCB 12-0101, 12-0102).

SECTION 803

WALL AND CEILING FINISHES

803.1 General.

Interior wall and ceiling finish materials shall be classified for fire performance and smoke development in accordance with Section 803.1.1 or 803.1.2, except as shown in Sections 803.2 through 803.13. Materials tested in accordance with Section 803.1.2 shall not be required to be tested in accordance with Section 803.1.1

803.1.1 Interior wall and ceiling finish materials

Interior wall and ceiling finish materials shall be classified in accordance with ASTM E 84 or UL 723. Such interior finish materials shall be grouped in the following classes in accordance with their flame spread and smoke-developed indexes.

Class A:—Flame spread index 0-25; smoke-developed index 0-450.

Class B:—Flame spread index 26-75; smoke-developed index 0-450.

Class C:—Flame spread index 76-200; smoke-developed index 0-450.

Exception: Materials tested in accordance with Section 803.1.2.

SECTION 804

INTERIOR FLOOR FINISHES

804.1 General.

Interior floor finish and floor covering materials shall comply with sections B04.2 through B04.4.2

Exception: Floor finishes and

804.2 Classification.

Interior floor finish and floor covering materials required by section 804.4.2 to be of class I or II materials shall be classified in accordance with NFPA 253. The classification referred to herein corresponds to the classification determined by NFPA 253 as follows: class I, 0.43 watts/cm² or greater; Class II, 0.22

804.3 Testing and identification.

Interior floor finish and floor covering materials shall be tested by an agency in accordance with NFPA 253 and identified by a hang tag or other suitable method so as to identify the manufacturer or supplier and style and shall indicate the interior floor finish or floor covering classification according to section 804.2. Carpet-type floor coverings shall be tested as proposed for use, including underlayment. Test reports confirming the information provided in the manufacturer's product identification shall be furnished to the building official upon request.

804.4 Interior floor finish requirements.

Interior floor covering materials shall comply with sections 804.4.1 and 804.4.2 and interior floor finish materials shall comply with section 804.4.2.

804.4.1 Test Requirement

In all occupancies, interior floor covering materials shall comply with the requirement of the DOC FF-1 "pill test" (CPSC 16 CFR part 1630) or with ASTM D 2859.

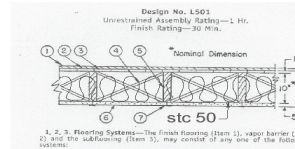
door notes:

- 2017 DCBC, 716.5.9 DOOR CLOSING FIRE DOORS SHALL BE LATCHING AND SELF-OR AUTOMATIC CLOSING IN ACCORDANCE WITH THIS SECTION.
- DOOR HARDWARE AT COMMON ENTRANCE DOORS ARE EQUIPPED WITH APPROVED PANIC HARDWARE / OCCUPANTS DO NOT HAVE TO USE A KEY OR HAVE SPECIAL KNOWLEDGE TO EXIT THE BUILDING. THE MAXIMUM WEIGHT OF FORCE TO OPERATE THE DOOR TO EXCEED 15 POUNDS WITH SUCH PULL OR PUSH EFFORT BEING APPLIED AT RIGHT ANGLES TO HINGED DOOR AND AT THE CENTER PLANE OF SLIDING OR FOLDING DOORS. WHEN FIRE DOORS ARE UTILIZED, THE MAXIMUM EFFORT TO OPERATE THE DOOR MAY BE INCREASED TO NOT EXCEED 15 POUNDS. [2017 DCBC 1010.3]

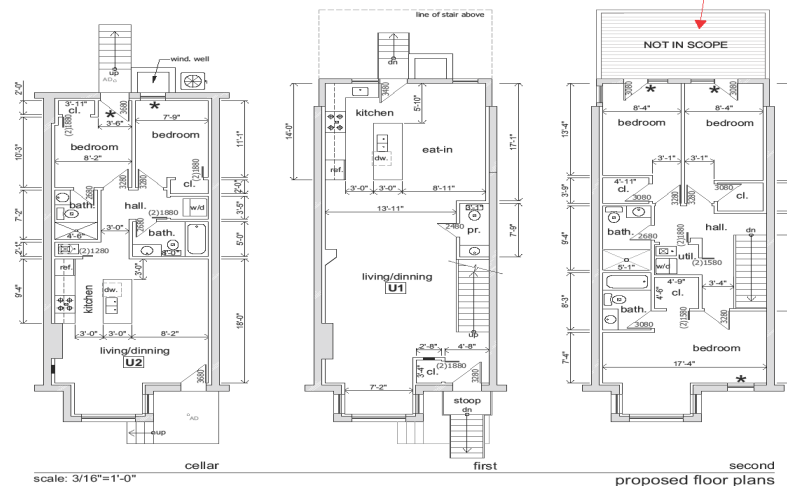
safety glazing notes:

- 2406.1 HUMAN IMPACT LOADS: INDIVIDUAL GLAZED AREAS INCLUDING MINIMUMS IN HAZARDOUS LOCATIONS AS DEFINED IN SECTIONS 2406.4 SHALL COMPLY WITH SECTIONS 2406.1.1 THROUGH 2406.1.4
2406.4.2 GLAZING ADJACENT TO DOORS - COMPLY
2406.4.3 GLAZING IN WINDOWS - COMPLY

FENESTRATION U-FACTOR	0.30 U-FACTOR
SKYLIGHT U-FACTOR	0.55 U-FACTOR
GLAZED FENESTRATION SHGC	0.40 SOLAR HEAT GAIN COEFFICIENT (SHGC)



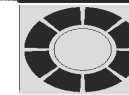
1hr floor assembly
existing to remain



GOVERNMENT OF THE DISTRICT OF COLUMBIA
PERMIT OPERATIONS DIVISION
PLANS APPROVED
Permit No. 02410155 Date 10/23/24

These plans are conditionally approved as submitted or noted during plan review and are subject to field inspection. Approved plans must be kept on site and are needed for all inspections. No changes or modifications to these plans. Changes require a revision permit with the revised plans. Trade Permits are required for trade work. e.g. Electrical or Plumbing

HPWD Review - Jordan Meyer - 10-21-2024
 DOE EV Review - Cameron Sherr - 10-21-2024
 Electrical Review - David Deleon - 10-21-2024
 Energy Review - David Deleon - 10-21-2024
 Plumbing Review - David Deleon - 10-21-2024
 Mechanical Review - David Deleon - 10-21-2024
 Structural Review - David Deleon - 10-21-2024
 Zoning Review - Steffen Andrus - 10-21-2024



- **REAR DECK:** Non-Conforming Rear Deck is subject to Stop-Work-Order 23ENF-IC-03465; Rear deck is not included or authorized in the scope of work of this permit and requires relief from the Board of Zoning Adjustment. Applicant must obtain a building permit for the rear deck



proposed floor plans

527 FLORIDA AVE NW, WASHINGTON, DC 20001

Mark	Date	Revision

SEPTEMBER 24, 2003

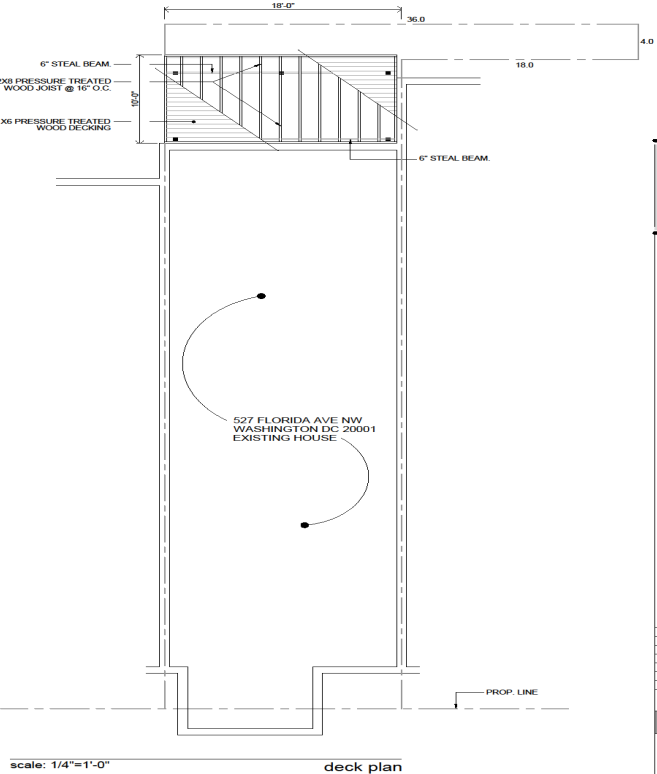
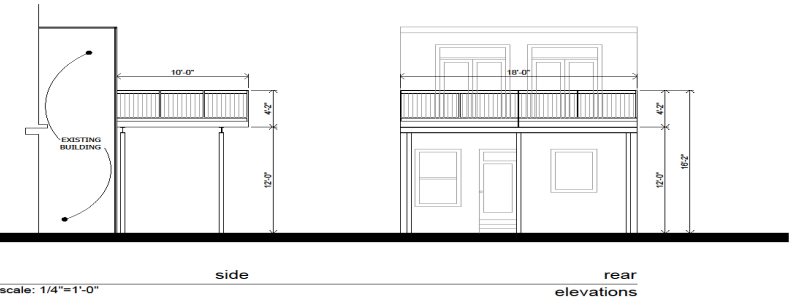
A002

PROPOSED ELEVATIONS

TABLE R502.3.1 (2) FLOOR JOIST SPANS FOR COMMON LUMBER SPECIES (Residential living areas, live load=40psf, I/Δ=360)

Joist Spacing (inches)	Species & Grade	DEAD LOAD=10 psf						DEAD LOAD=20 psf					
		2"x6"			2"x8"			2"x10"			2"x12"		
		(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)	(ft.-in.)
12	Douglas Fir-Larch #1	11-4	15-0	18-1	23-3	11-4	15-0	18-1	23-3	11-4	15-0	18-1	23-3
	Douglas Fir-Larch #2	10-11	14-5	18-5	22-0	10-11	14-2	17-4	20-1	10-11	14-2	17-4	20-1
	Douglas Fir-Larch #3	10-9	14-2	18-1	21-1	10-9	13-8	16-8	19-1	10-9	13-8	16-8	19-1
	Hem Fir #1	8-11	11-3	13-9	16-0	8-1	10-3	12-7	14-7	8-1	10-3	12-7	14-7
	Hem Fir #2	10-9	14-2	18-0	21-11	10-9	14-2	18-0	21-11	10-9	14-2	18-0	21-11
	Hem Fir #3	10-6	13-10	17-1	20-6	10-6	13-10	17-1	20-6	10-6	13-10	17-1	20-6
	Hem Fir #4	10-0	13-2	16-10	20-4	10-0	13-1	16-0	19-6	10-0	13-1	16-0	19-6
	Southern Pine #1	8-6	11-5	13-5	15-7	7-11	10-6	12-3	14-3	8-6	11-5	13-5	15-7
	Southern Pine #2	11-2	14-8	18-9	22-10	11-2	14-5	18-9	22-10	11-2	14-5	18-9	22-10
	Southern Pine #3	10-9	14-2	18-0	21-11	10-9	14-2	18-0	21-11	10-9	14-2	18-0	21-11
	Southern Pine #4	10-3	13-6	16-2	19-1	9-10	12-6	14-9	17-5	10-3	13-6	16-2	19-1
	Southern Pine #5	9-2	12-10	15-4	18-6	8-10	11-8	14-6	17-8	9-2	12-10	15-4	18-6
16	Spruce Pine-Fir #1	10-6	13-10	17-1	20-6	10-6	13-10	17-1	20-6	10-6	13-10	17-1	20-6
	Spruce Pine-Fir #2	10-3	13-6	17-3	20-7	10-3	13-3	16-3	19-10	10-3	13-3	16-3	19-10
	Spruce Pine-Fir #3	10-3	13-6	17-3	20-7	10-3	13-3	16-3	19-10	10-3	13-3	16-3	19-10
	Spruce Pine-Fir #4	8-6	11-0	13-5	15-7	7-11	10-0	12-3	14-3	8-6	11-0	13-5	15-7
	Douglas Fir-Larch #1	10-4	13-7	17-4	21-1	10-4	13-7	17-4	21-1	10-4	13-7	17-4	21-1
	Douglas Fir-Larch #2	9-11	13-1	16-5	19-1	9-8	12-4	15-0	17-5	9-11	13-1	16-5	19-1
	Douglas Fir-Larch #3	9-9	12-8	15-7	18-1	8-5	11-8	14-3	16-6	9-9	12-8	15-7	18-1
	Hem Fir #1	7-8	9-8	11-11	13-10	7-0	8-1	10-11	12-7	7-8	9-8	11-11	13-10
	Hem Fir #2	9-9	12-10	15-5	18-11	9-9	12-2	14-10	17-2	9-9	12-10	15-5	18-11
	Hem Fir #3	9-1	12-0	15-2	18-1	8-1	11-4	13-9	16-1	9-1	12-0	15-2	18-1
	Hem Fir #4	7-9	9-6	11-8	13-6	6-10	8-8	10-7	12-4	7-9	9-6	11-8	13-6
	Southern Pine #1	10-2	13-4	17-0	20-9	10-2	13-4	17-0	20-9	10-2	13-4	17-0	20-9
	Southern Pine #2	9-4	11-10	14-0	16-4	8-6	10-10	12-10	15-1	9-4	11-10	14-0	16-4
	Southern Pine #3	7-1	8-11	10-10	12-10	6-5	8-2	9-10	11-8	7-1	8-11	10-10	12-10
	Spruce Pine-Fir #1	9-6	12-7	15-0	18-6	9-6	12-7	15-0	18-6	9-6	12-7	15-0	18-6
	Spruce Pine-Fir #2	9-4	12-3	15-5	17-10	9-1	11-6	14-1	16-3	9-4	12-3	15-5	17-10
	Spruce Pine-Fir #3	7-6	9-6	11-8	13-6	6-10	8-8	10-7	12-4	7-6	9-6	11-8	13-6

1. FOR 31.1 INCH=25.4 MM, 1 FOOT=304.8 MM, 1 POUND PER SQUARE FOOT=0.0479 KPA.
2. ASSUMES 40 PSF LIVE LOAD, 10 PSF DEAD LOAD, L/240 DEFLECTION, NO. 2 GRADE, AND WET SERVICE CONDITIONS.
3. ASSUMES 40 PSF LIVE LOAD, 10 PSF DEAD LOAD, L/180 CANTILEVER DEFLECTION WITH 2201LB POINT LOAD, NO. 2 GRADE, AND WET SERVICE CONDITIONS.
4. INCISING ASSUMED FOR REFACTORY SPECIES INCLUDING DOUGLAS FIR LARCH, HEM-FIR, AND SPRUCE-PINE-FIR.
5. DESIGN VALUES BASED ON NORTHERN SPECIES WITH NO INCISING ASSUMED.



deck plan and elevations
527 FLORIDA AVE. NW, WASHINGTON, DC 20001

Mark	Date	Revision

OCTOBER 26, 2023
A002

DC BUILDER'S PLAT

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., November 13, 2023

Plat for Building Permit of :

SQUARE 3093 LOT 29

Scale: 1 inch = 20 feet

Recorded in Book Co. 7 Page 38

Receipt No. 24-00678

Drawn by: M.G.

Furnished to: KILLETTE AND ASSOCIATES

"I hereby certify that the dimensions and configuration of the lot(s) hereon depicted are consistent with the records of the Office of the Surveyor unless otherwise noted, but may not reflect actual field measurements. The dimensions and configuration of A&T lots are provided by the Office of Tax and Revenue and may not necessarily agree with the deed description(s)."

James D. Pabel
For Surveyor, D.C.

I hereby certify that on this plan on which the Office of the Surveyor has drawn the dimensions of this lot, I have accurately and completely depicted and labeled the following:

1) all existing buildings and improvements - including parking spaces, covered porches, decks and retaining walls over four feet above grade, and any existing face-on-line or party wall labeled as such, well as projections and improvements in public space - with complete and accurate dimensions;

2) all proposed demolition or raze of existing buildings duly labeled as such; all proposed buildings and improvements - including parking spaces, covered porches, decks and retaining walls over four feet above grade, any existing face-on-line or partly wall labeled as such, as well as projections and improvements in public space and the improvements used to satisfy previous surface or green area ratio requirements - with complete and accurate dimensions, in conformity with the plans submitted with building permit

3) any existing chimney or vent on an adjacent property that is located within 10 feet of this lot.

I also hereby verify that:
 1) my depiction on this plot, as detailed above, is accurate and complete as of the date of my signature hereon;
 2) there is no alteration, change or amendment to the data presented between

2) there is no elevation change exceeding ten feet measured between lot lines; or if so, this elevation change is depicted on a site plan submitted with the plans for this permit application;

4) I have ~~have not~~ (circle one) filed a subdivision application with the Office of Tax & Revenue and

5) if there are changes to the lot and its boundaries as shown on this plat, or to the proposed construction and plans as shown on this plat, that I shall obtain an updated plat from the CHM of the Surveyor.

that I shall obtain an updated plan from the Office of the Surveyor on which I will depict all existing and proposed construction and which I will then submit to the Office of the Zoning Administrator for review and approval prior to permit issuance.

The Office of the Zoning Administrator will only accept a Building Permit issued by the Office of the Surveyor within the two years prior to the date DCRA accepts a Building Permit Application as

I acknowledge that any inaccuracy or errors in my depiction on this plat will subject my permit or certificate of occupancy issued in

pin, will immediately permit or contribute to occupancy issues in reliance on this plan to enforcement, including revocation under Sections 110.6(1) and 110.5.2 of the Building Code (Title 12A of the DCMR) as well as prosecution and penalties under Section 404 of the DCMR.

D.C. Law 4-164 (D.C. Official Code §22-2408).

Signature: [Signature]
 Date: 11/11/2011

Date: 11/13/2014
Printed Name: [Signature] Relationship
to Lot Owner: [Signature]

If a registered design professional, provide license number _____ and include stamp below.

SCALE: 1:20

SR-24-00678(2023)

SHEET 1 OF 2

SQUARE 3093

NEW 2ND FLS REAR DECK

EXIST. STRUCT.

29

FLORIDA AVENUE, N.W.

PUBLIC ALLEY

Dimensions: 38.0, 18.0, 77.50, 60.0, 18.0, 18.0, 18.0

SR-24-00679(2023)

SHEET 2 OF 2

CONCLUSION

- The Applicant respectfully requests that the Board grant the requested special exception reliefs for the reasons itemized below;
 - (a): the application complies with the burden of proof authorizing the Board to grant the relief sought as application outlines.
 - (b) The affected ANC supports the relief the application requests, as further amended.
 - (c) Adjoining neighbors do not object to the proposed open deck. In fact the majority are in support.