

# BURDEN OF PROOF

January 07, 2025

Board of Zoning Adjustment Government of the  
District of Columbia 441 4th St NW #200  
Washington, DC 20001

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*Application'Ecug'Pwo dgt"/"D\ CVo r6754*

**ANC 4C07**

## **STATEMENT OF RELIEF SOUGHT**

This burden of proof is submitted by the Authorized Agent, Sarah Makonnen on behalf of Jia Cobb, the homeowner of the property located at 305 Rock Creek Church RD NW - Square 3314, Lot 0042 in support of the application for special exception relief, pursuant to Subtitle X § 901.2 and Subtitle D § 5201.4, adding an accessory structure to the existing building.

## **JURISDICTION OF THE BOARD**

The Board of Zoning Adjustment (the “Board”) has jurisdiction to grant the special exception relief requested herein pursuant to Subtitle X § 901.2 of the Zoning Regulations.

## **NATURE OF SPECIAL EXCEPTION RELIEF SOUGHT & STANDARD OF REVIEW**

Pursuant to Subtitle D § 5201.4, the applicant requests a special exception relief to install a retractable, motorized awning on a rear deck that is raised above ground and with a parking space directly below it. It will be plugged in to an existing outlet within the existing structure. Pursuant to Subtitle X § 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:

### **Subtitle X § 901.2**

#### **1. Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps:**

The project on Lot 0042 solely requires an addition of a motorized and retractable awning on an already existing single dwelling unit. It will be attached to the existing wall and plugged into an existing outlet. The awning will be placed in the rear on a raised deck. The special exception relief will be in harmony with the purpose and intent of the Zoning Regulations within the RF-1 Zone.

**2. Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps:**

The awning will provide shade and shelter to the resident owner and will be within the owner's property line. The 10'x16' awning will be retractable and placed in the rear deck that is raised above ground. The awning will be visible but will not be obstructing the views of the neighbors. It will not adversely affect the use of the neighboring properties, including as to light, air, and privacy.

**3. Will meet such special conditions as may be specified in this title:**

Pursuant to Subtitle X & 901.2, the project satisfies the special conditions for an addition in the RF-1 zone based on meeting the following:

APPLICANT MEETS BURDEN FOR SPECIAL EXCEPTION RELIEF

**Subtitle D § 5201.4,**

The proposed addition of the accessory structure (motorized awning) shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, specifically:

1. The light and air available to neighboring properties shall not be unduly affected;

*As mentioned above, the motorized awning sits above a raised deck and will have minimal impact to light and air for the neighboring properties. The 10'x16' motorized awning will be retractable and plugged in to an already existing outlet placed on the existing building.*

2. The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;

*The proposed project of the awning installation will not unduly compromise the privacy and enjoyment of neighboring properties. As shown in the pictures included within the application, the rear deck where the awning is to be installed directly sits above the private parking space of this unit.*

3. 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;

*This project is consistent with the character, scale, and pattern of homes along Rock Creek Church Road and the alley side. The awning will not be protruding over the raised deck or abutting neighbors.*

4. In demonstrating compliance with paragraphs 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, new building, or accessory structure to adjacent buildings and views from public ways.

The plat, architectural drawings alongside with the photos provided within this application, this statement complies with this condition.

#### **STATEMENT OF PUBLIC OUTREACH**

Pursuant to Subtitle Y § 300.8(l), we plan to contact the ANC's Single Member District

(4C07), represented by Commissioner Eric Heller for the proposed project. We will notify and present the intended project to the ANC in full.

#### **CONCLUSION**

For the reasons stated above, the project meets the applicable standards for special exception relief under the Zoning Regulations. Accordingly, the BZA applicant (same as authorized agent) respectfully requests the Board of Zoning to grant the application.

*Sarah Makonnen*

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Sarah Makonnen, Authorized Agent