

**Burden of Proof -
Special Exception Application**

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

For: **Jonathon Haigh Thornton**
Owner/Applicant
307 15th Street NE
Washington, DC 20002

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Date: 9 October 2025

Subject: BZA Application, Special Exception
307 15th Street NE
Washington, DC 20002
Square 4564 Lot 0021

Mr. Jonathon Haigh Thornton, owner of 307 15th Street, NE hereby applies for zoning relief to construct a two-story plus basement addition at the rear of the residence and a two-story accessory dwelling unit on the alley in the RF-1 zone, by authorization of 11 DCMR Subtitle X, Chapter 9 [Special Exceptions] lot occupancy requirements of Subtitle E, Chapter 2, Section 210.1 [Lot Occupancy] and by rear yard requirements of Subtitle E, Chapter 2, Section 207.4 [Rear Yard].

The aspects of the proposed project that fall outside the current zoning regulations are as follows:

1. The proposed lot occupancy is 69.8% which exceeds the allowed lot occupancy of 60% (11 DCMR Subtitle E, Section 210.1). The proposed lot occupancy will be below the 70% maximum allowed by a special exception in the RF-1 district (11 DCMR Subtitle E Section 5201).
2. The proposed rear wall of the subject property extends 26'-2" beyond the furthest rear wall of any adjoining principal structure, which exceeds the allowed 10' (11 DCMR Subtitle E Section 207.4).
3. The Accessory Building Area is 474.5 square feet, which is greater than the allowed area of 450 square feet. (11 DCMR Subtitle E Section 5003.1).

I. Summary:

This special exception qualifies under ZR-16 Subtitle X, Chapter 9, because the lot occupancy does not exceed 70%, and the addition will not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property.

II. Qualification of Special Exception:

901 Special Exception Review Standards

The Board of Zoning Adjustment will evaluate and either approve or deny a special exception application according to the standards of this section.

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;

The east side of the 300 block of 15th street NE consists of 13 lots of nearly identical size and shape. The lots on this block have small row homes on large lots each with similar opportunities for an addition of the scale proposed at 307 15th Street NE. The addition is proposed as a dogleg addition into the rear yard to allow for three bedrooms, two bathrooms and a study on the upper level, similar to other homes in Capitol Hill on similar sized lots. The existing home has a footprint of 635 square feet and the addition would have a footprint of an additional 380 square feet. Thus, the habitable space of the proposed single family home would occupy only 43% of the lot. The proposal also includes a two-story garage on the alley. The proposal provides a 24.5 foot rear yard, when only a 20 foot rear yard is required.

The accessory building is 474.5 square feet, which is above the maximum allowed square footage. The proposed structure is to be constructed of brick, which requires thicker walls. The difference between a brick structure and a frame structure in this case is 26 square feet, so we are asking to make the structure 24.5 square feet larger to retian the same interior volume as a frame structure.

of the relief requested, six percent of the lot occupancy is the front porch (which is inside of the property boundary on this block) and the rear deck, (which is estimated at 5'-7" above grade).

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 E, Section 5201.4 provides relief based on the following criteria:

"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;

309 15th Street, NE (Neighbor to the North): The property at 309 15th Street, NE is an existing two story + basement brick single-family residential row home. The property has a one story garage on the alley. The home is unimproved since its construction in 1913. Since this row home is on the north side of the proposed addition, light will be effected, but not excessively. The rear of the building has six foot deep covered porches that shade two thirds of the windows on the rear wall. The windows that are not already covered by the porch are already shaded by the subject property's covered porches and would be shaded by any addition to the subject property. A shadow study has been included illustrating the difference in shadow on the property between a by-right addition and the proposed addition.

305 15th Street, NE (Neighbor to the South): The property at 305 15th Street, NE is an existing two story + basement brick single-family residential semi-attached row home. The home is unimproved since its construction in 1913. Available light and air will not be adversely restricted, as the addition is located due north of this property and set back five feet from the shared property line.

(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;

309 15th Street, NE (Neighbor to the North): On the north side, the proposed addition will be set next to the property line and will not have any windows along the shared property line with the neighbor.

305 15th Street, NE (Neighbor to the South): On the south side, the proposed addition will be set back five feet from the property line, creating a dogleg condition. windows on the first level facing the neighbor will be high up on the wall, providing privacy to each property.

Privacy: Currently there are low chain link fences between the properties which will be replaced with seven foot tall solid fences, providing more privacy between the properties than currently exists.

(c) The proposed addition or accessory structure, together with the original building, or the proposed new 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 and alley frontage;

The proposed rear addition will be visible from C street, NE and from the alley. The proposed addition and accessory building will be constructed with high quality, low maintenance materials. The proposed addition and accessory building will be designed to be contextual with respect to the surrounding neighborhood in terms of character, scale, and proportion.

(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.

Along with this application, we have included the following items:

A block plan showing the density of the block;

A site plan showing the existing and proposed conditions;

Photos of the existing house and adjacent structures to the north and south;

Plan and elevation drawings of proposed addition with materials labeled;

Shadow studies;

Official Plat from the DC Office of the Surveyor.