

3817 JENIFER ST NW

BZA PRESENTATION

September 2026

Prepared for:

Sally O'briant
Steve O'briant
sallyobriant@me.com
steveobraint@hotmail.com

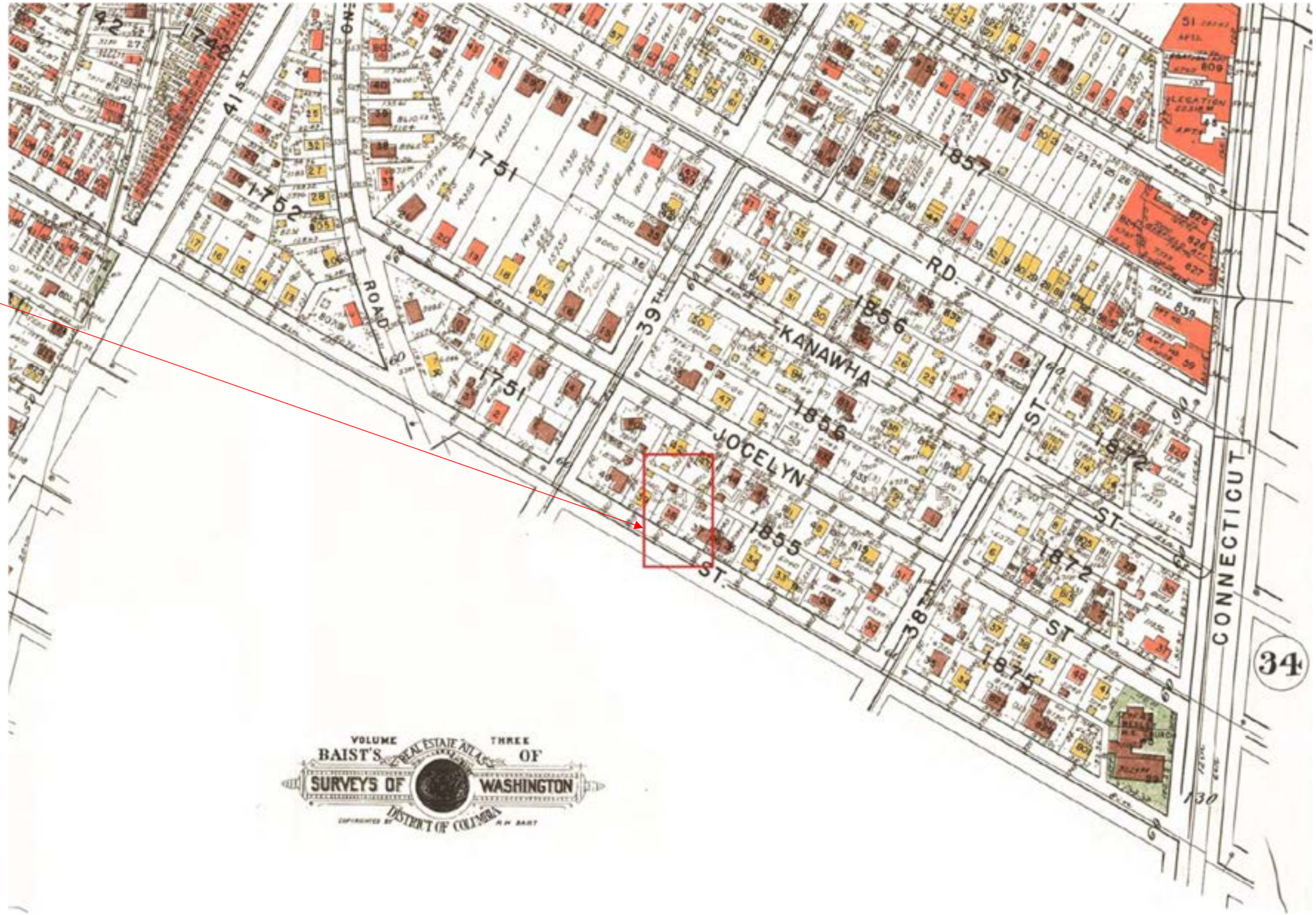
Prepared by:

Peter Nettelbeck, RA
410 960 2083
pnettelbeck@gmail.com

Nettelbeck Architecture

Board of Zoning Adjustment
District of Columbia
CASE NO.21162
EXHIBIT NO. 38

Subject property:
3817 Jenifer St NW



Baist Map

R-1B

Development Standards for R-1B	
Link to Zoning Regulations:	D.5.2
Zone District:	Residential Zone
Zone:	R-1B
Building Category:	All Other Buildings & Structures
Description:	Provides areas predominantly developed with detached houses on moderately sized lots.
Dwelling Units:	1
Height (ft):	40
Stories:	3
Minimum Lot Width (ft):	50
Minimum Lot Area (sq ft):	5000
Lot Occupancy (%):	40
Front Setback (ft):	No lesser or greater than existing setbacks on the same block
Rear Setback (ft):	25
Side Setback (ft):	5
Pervious Surface (%):	50

The development standards shown are intended for reference use and are not a substitution for the standards as defined in the zoning regulations.

Report an issue with the development standards



Example photo



Subject property:
3817 Jenifer St NW





existing images | front

Subject property:
3817 Jenifer St NW



facing west



facing east

existing images | from street





Subject property:
3817 Jenifer St NW

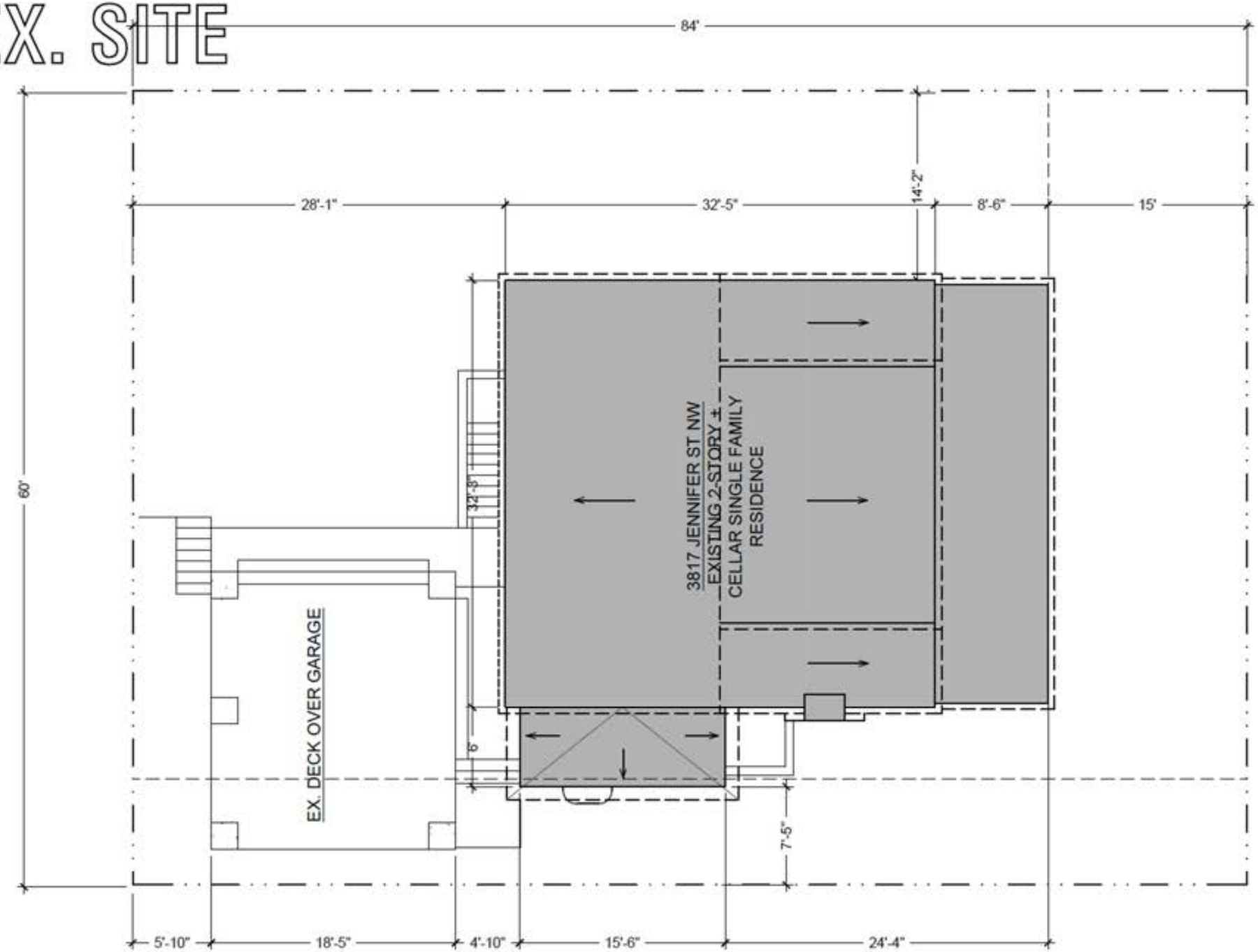




existing images | rear alley

EX. SITE

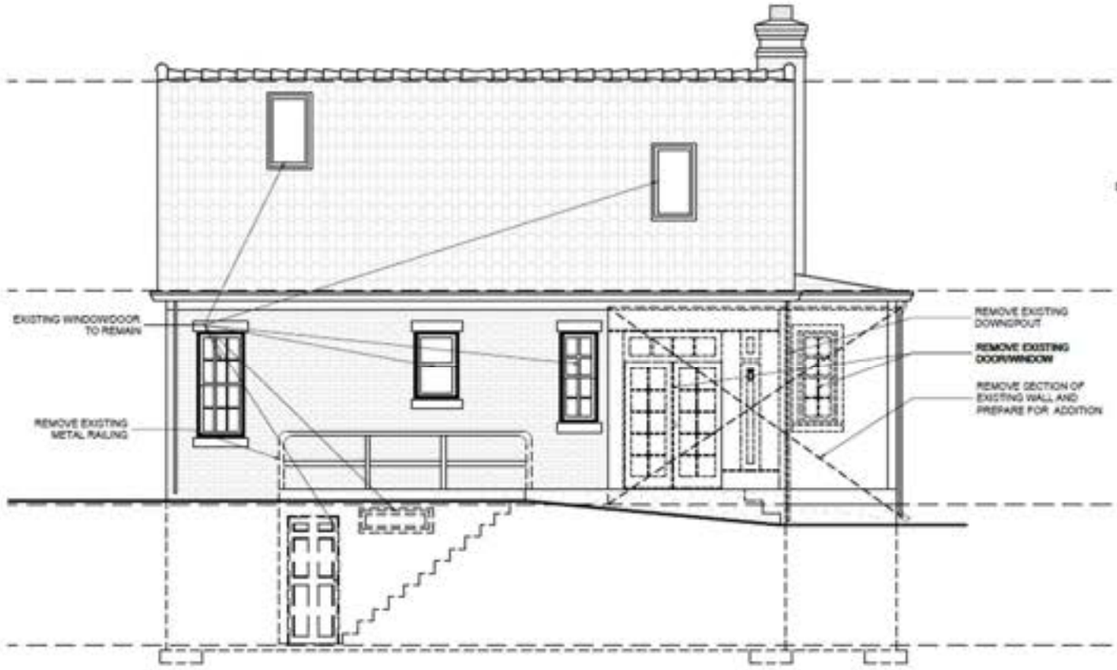
ZONE:	R-1B
EX. USE:	SINGLE FAMILY RESIDENCE
LOT AREA:	5,040 SF
PRIMARY DWELLING TO REMAIN	1,659 SF (32.9%)
LOT OCCUPANCY:	1,659 SF (32.9%)



ex. site plan
1/8" = 1'-0"



EXTERIOR ELEVATION - EAST

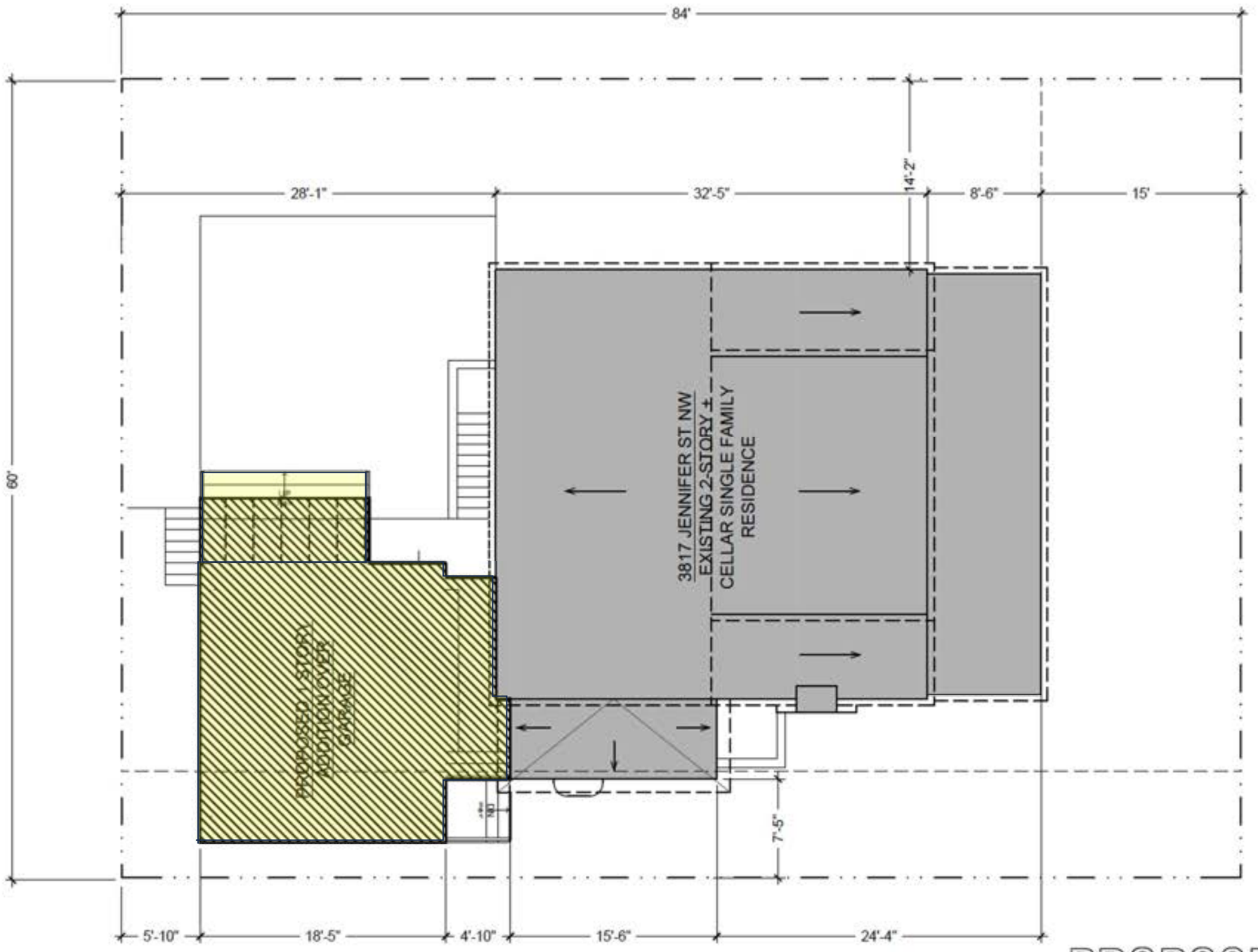


EXTERIOR ELEVATION - NORTH



EXTERIOR ELEVATION - WEST

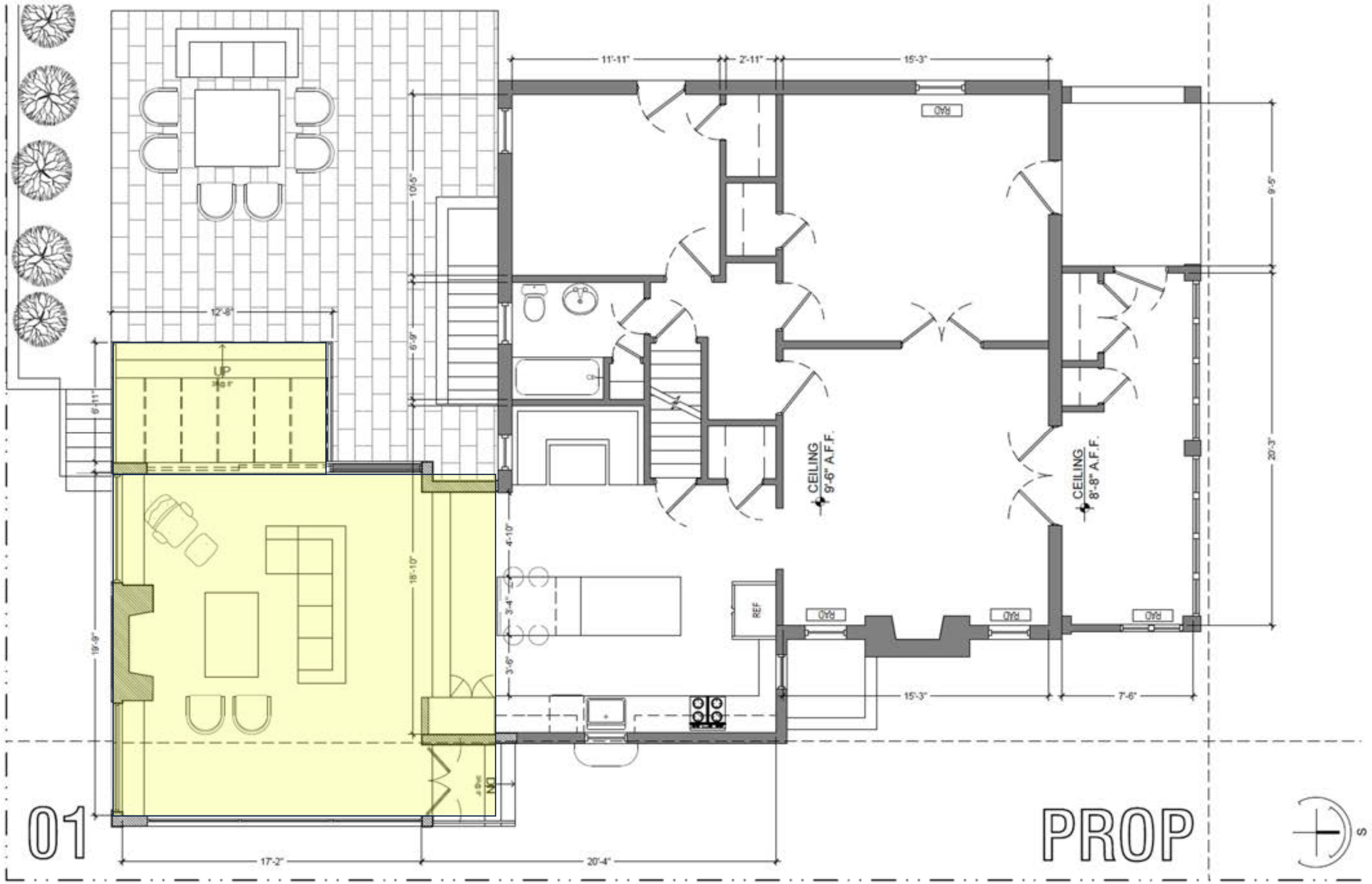

EX. ROOF H.R.
+22'-1"
EXISTING SINGLE FAMILY HOME TO REMAIN
REMOVE SECTION OF EXISTING WALL AND PREPARE FOR ADDITION
EX. 2ND FLR.
+11'-2"
EXISTING DECK OVER GARAGE TO BE REMOVED
EXISTING REAR STAIR TO REMAIN
EX. GR. FLR.
+0'-10"
EX. GRADE
+0'-0"
REAR ALLEY
EXISTING GARAGE TO REMAIN
EX. BASEMENT
-7'-4"



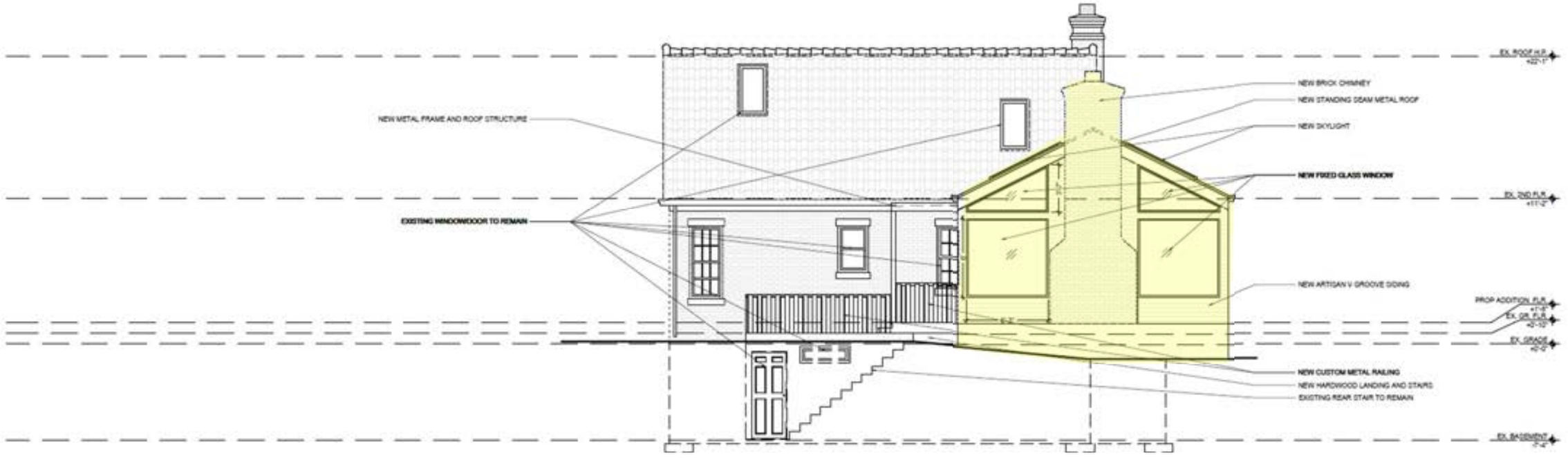
ZONE:	R-1B
EX. USE:	SINGLE FAMILY RESIDENCE
LOT AREA:	5,040 SF
PRIMARY DWELLING TO REMAIN	1,410 SF (27.9%)
ADDITION TO PRIMARY DWELLING	510 SF
LOT OCCUPANCY:	1,920 SF (38.1%)

PROPOSED SITE

prop. site plan

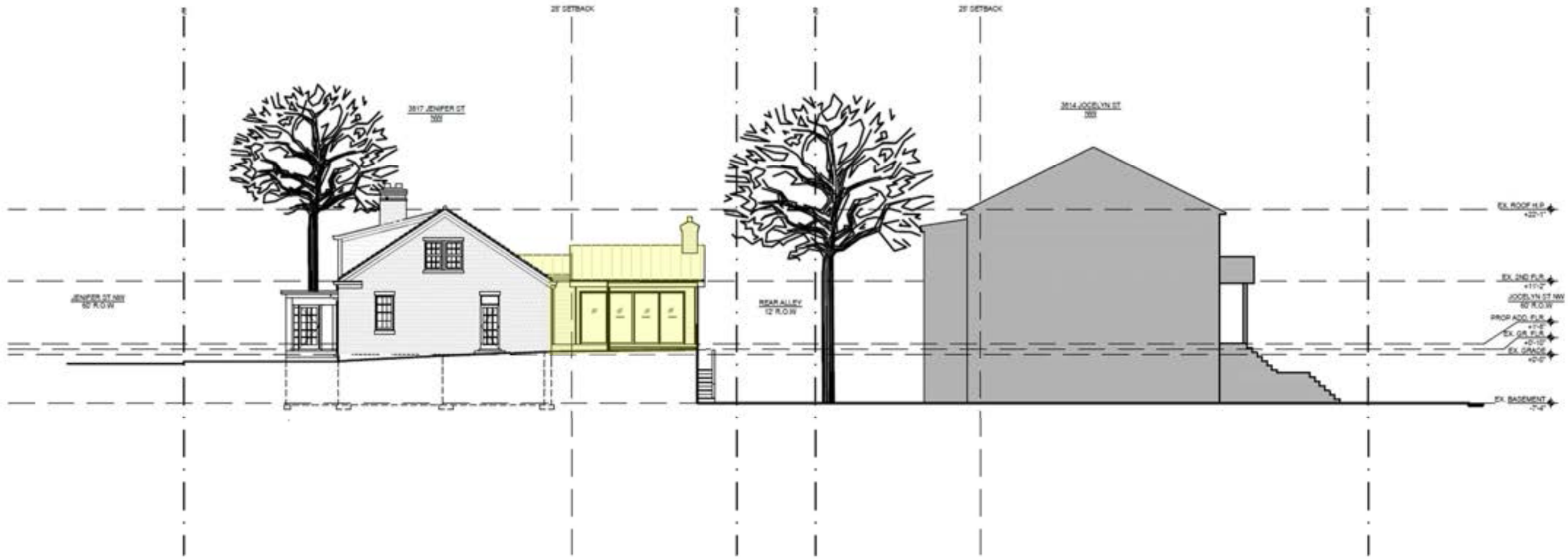

11'-11"
2'-11"
15'-3"
10'-5"
6'-9"
9'-5"
20'-3"
12'-8"
6'-11"
4'-10"
18'-10"
3'-4"
3'-6"
19'-9"
CEILING
9'-6" A.F.F.
CEILING
8'-8" A.F.F.
REF
RAD
RAD
RAD
RAD
15'-3"
7'-6"
17'-2"
20'-4"
01
PROP


EXISTING SINGLE FAMILY HOME TO REMAIN
NEW BRICK CHIMNEY
NEW STANDING SEAM METAL ROOF
NEW METAL FRAME AND ROOF STRUCTURE
NEW ARTISAN V GROOVE SIDING
NEW GLASS SLIDING DOOR
NEW HARDWOOD LANDING AND STAIRS
EXISTING REAR STAIR TO REMAIN
REAR ALLEY
EX. ROOF H.P.
+22'-1"
EX. 2ND FLR.
+11'-2"
PROP ADDITION FLR.
+1'-0"
EX. GR. FLR.
+0'-10"
EX. GRADE
+0'-0"
EX. BASEMENT
-7'-4"
16'
14'-11"
10'-7"


NEW METAL FRAME AND ROOF STRUCTURE
EXISTING WINDOW/DOOR TO REMAIN
NEW BRICK CHIMNEY
NEW STANDING SEAM METAL ROOF
NEW SKYLIGHT
NEW FIXED GLASS WINDOW
NEW ARTISAN V GROOVE SIDING
NEW CUSTOM METAL RAILING
NEW HARDWOOD LANDING AND STAIRS
EXISTING REAR STAIR TO REMAIN


EXISTING WINDOW/DOOR TO REMAIN
NEW BRICK CHIMNEY
NEW STANDING SEAM METAL ROOF
NEW ARTISAN V GROOVE SIDING
NEW FIXED PANEL GLASS
NEW CUSTOM METAL RAILING
EXISTING REAR STAIR TO REMAIN
15'-9"
EX. ROOF H.P.
+22'-1"
EX. 2ND F.H.
+11'-2"
PROP ADDITION F.H.
±1'-0"
EX. GR. F.H.
+0'-10"
EX. GRADE
+0'-0"
EX. BASEMENT
-7'-4"


NEW BRICK CHIMNEY
NEW STANDING SEAM METAL ROOF
NEW GLASS SLIDING DOOR
EXISTING REAR STAIR TO REMAIN
REAR ALLEY
EXISTING GARAGE TO REMAIN
EX. ROOF H.P.
+22'-1"
EX. 2ND FLR.
+11'-2"
PROP ADDITION FLR.
+1'-0"
EX. GR. FLR.
+0'-10"
EX. GRADE
+0'-0"
EX. BASEMENT
-7'-4"



prop. site section
1/16" = 1'-0"

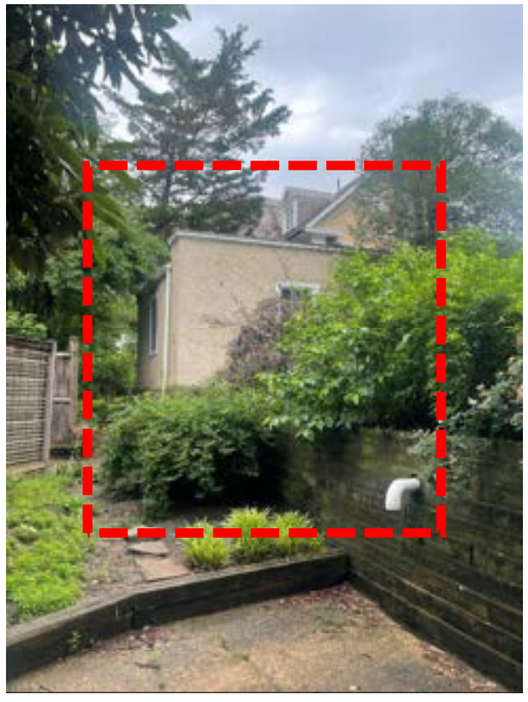
dashed line indicates structures in setback

In the alleys investigated approx. **65%** of properties had structures in the rear or side yard setback requirements

Subject property:
3817 Jenifer St NW



rear alley images jenifer/jocelyn/kanawha







dashed line indicates structures in setback

dashed line indicates structures in setback



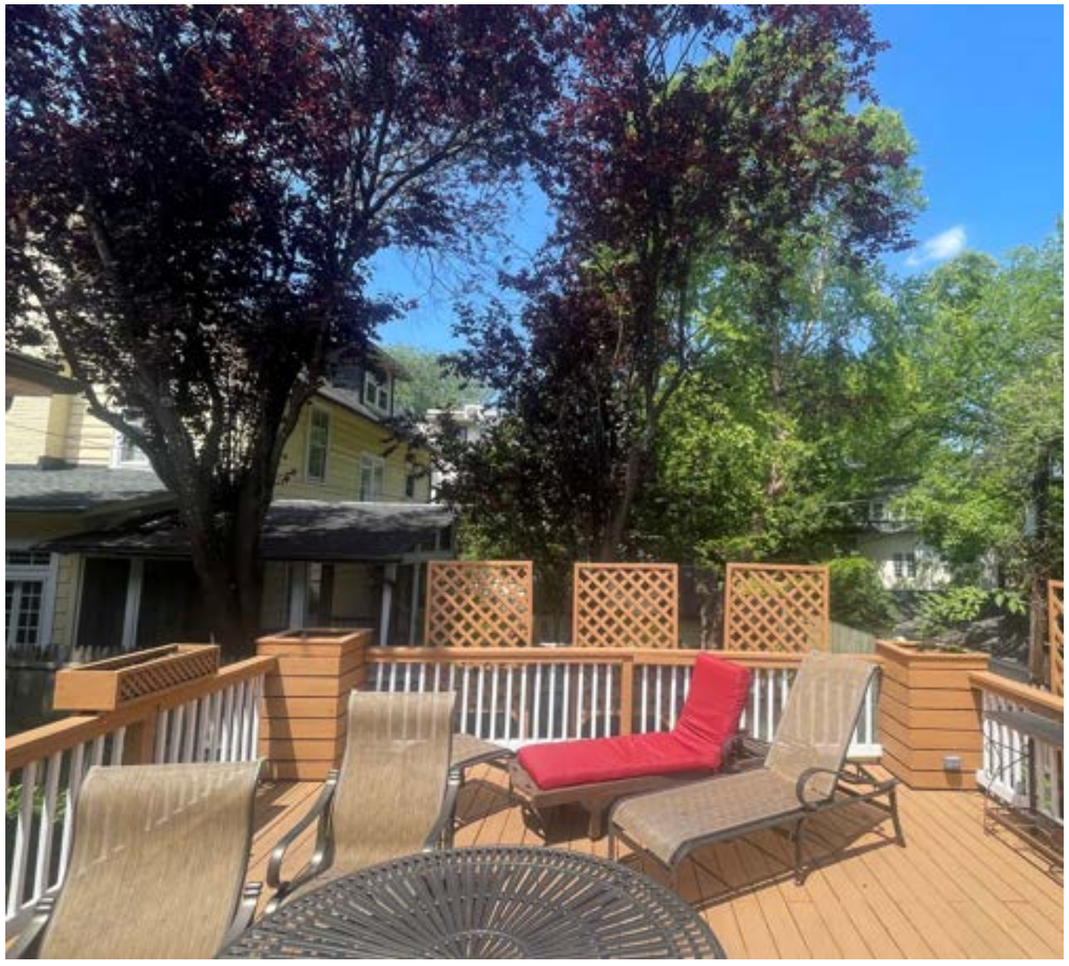




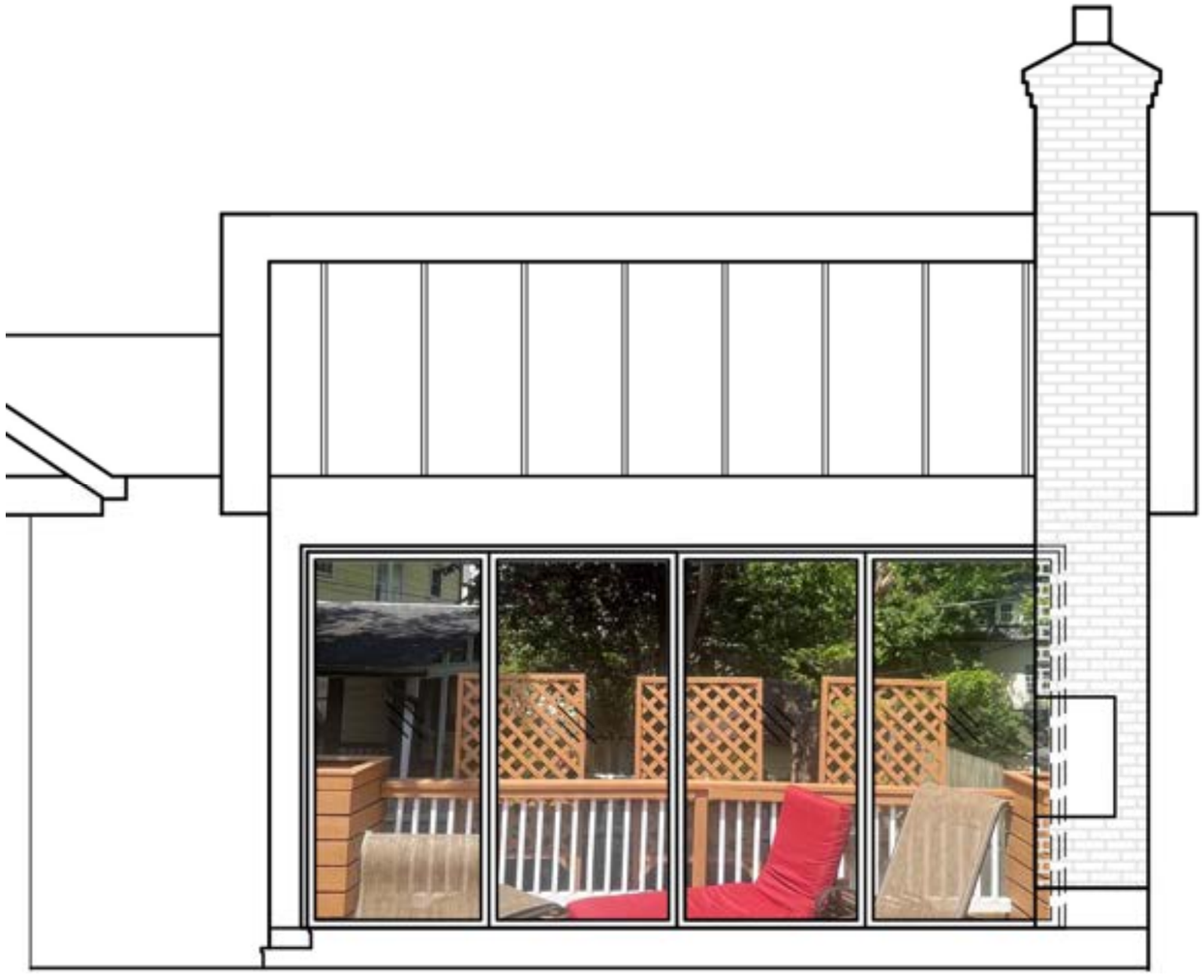




rear alley images jocelyn/kanawha



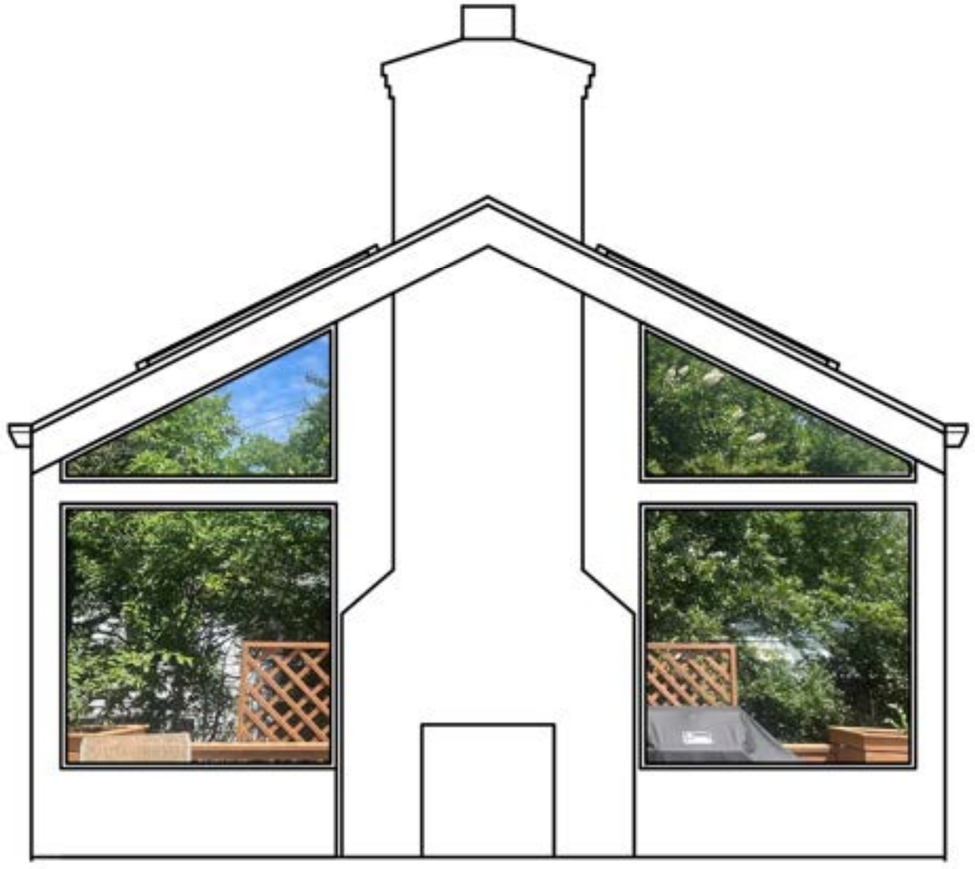
existing
view facing west



proposed
view facing west
less visibility towards neighbor



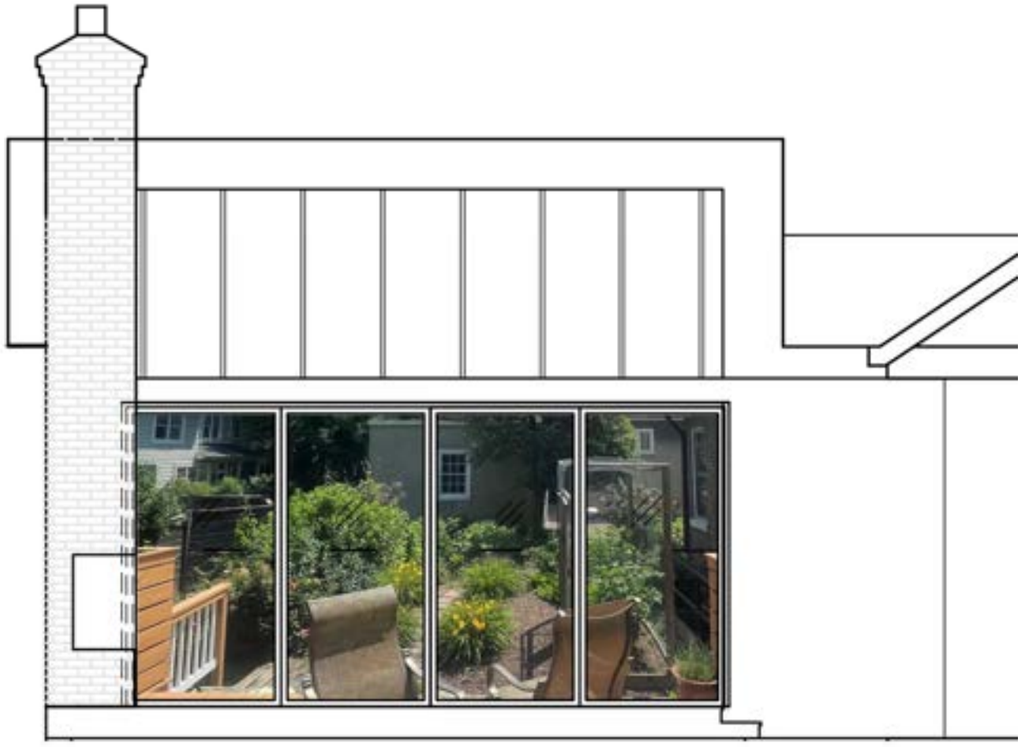
existing
view facing north



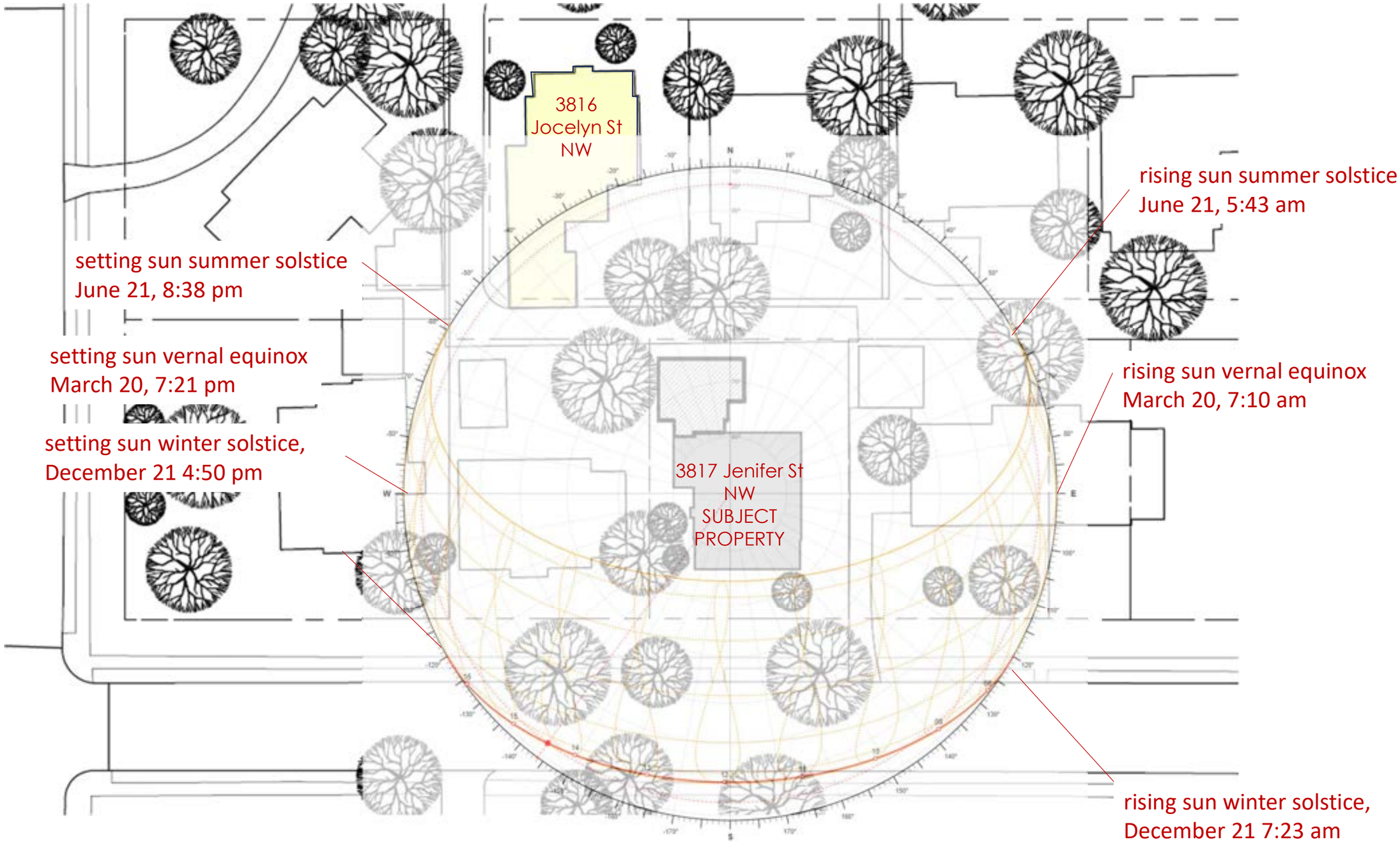
proposed
view facing north
less visibility towards alley/rear neighbor



existing
view facing east



proposed
view facing east
less visibility towards neighbor


3816
Jocelyn St
NW
3817 Jenifer St
NW
SUBJECT
PROPERTY
setting sun summer solstice
June 21, 8:38 pm
setting sun vernal equinox
March 20, 7:21 pm
setting sun winter solstice,
December 21 4:50 pm
rising sun summer solstice
June 21, 5:43 am
rising sun vernal equinox
March 20, 7:10 am
rising sun winter solstice,
December 21 7:23 am

3816 Jocelyn St NW

3817 JENIFER St NW
SUBJECT PROPERTY

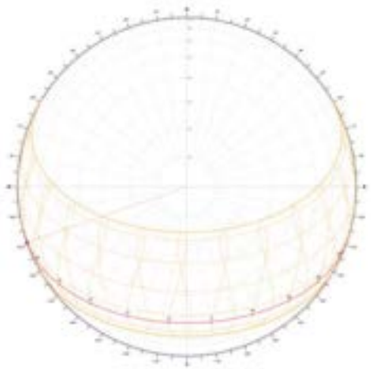


View from existing deck to 3816 Jocelyn St NW

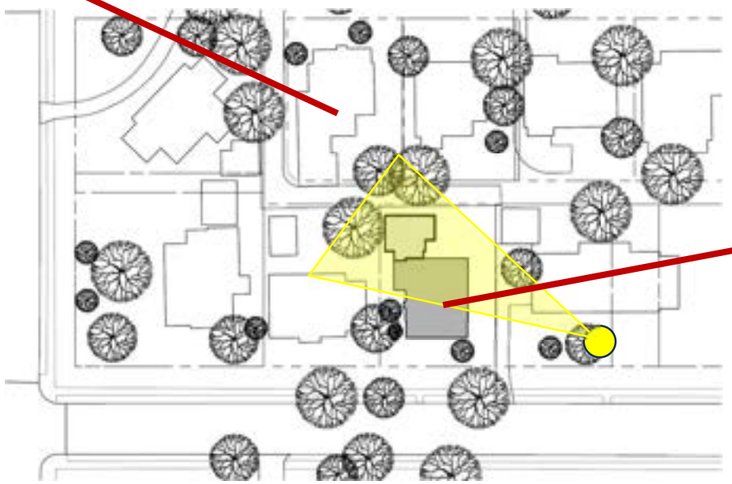


View from alley to 3816 Jocelyn St NW

3816 Jocelyn St NW



Sun path, Washington DC



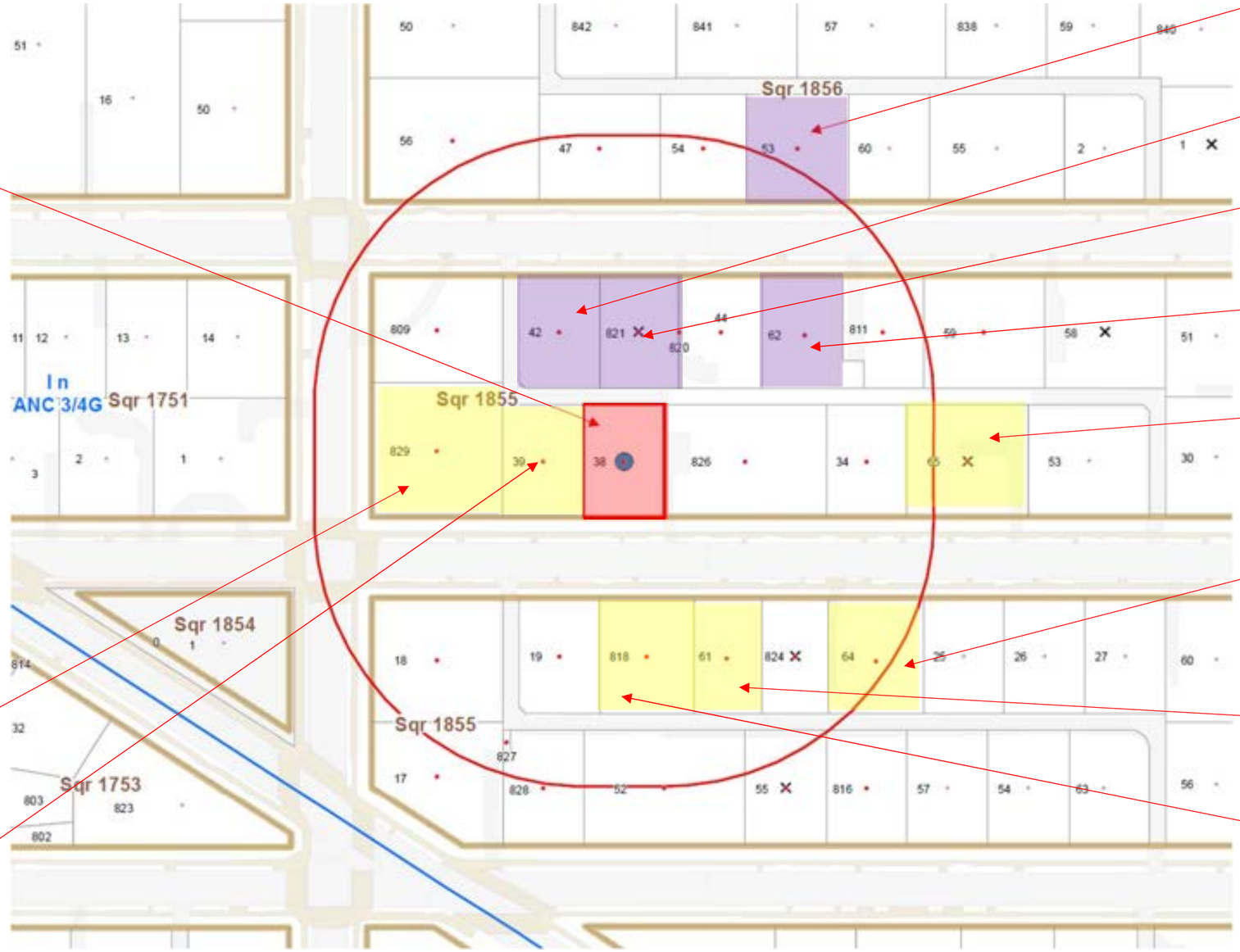
3817 JENIFER St NW
SUBJECT PROPERTY

OP Report: *"Given the modest height, location above an existing footprint, and substantial side-yard separation to the east, the project would not result in undue impacts to light and air."*

SUBJECT PROPERTY:
3817 JENIFER ST NW

SUPPORT LETTER:
3819 JENIFER ST NW

SUPPORT LETTER:
3821 JENIFER ST NW



OPPOSITION LETTER:
3811 JOCELYN ST NW

OPPOSITION LETTER:
38xx JOCELYN ST NW

OPPOSITION LETTER:
38xx JOCELYN ST NW

OPPOSITION LETTER:
3810 JOCELYN ST NW

SUPPORT LETTER:
3809 JENIFER ST NW

SUPPORT LETTER:
3810 JENIFER ST NW

SUPPORT LETTER:
3814 JENIFER ST NW

SUPPORT LETTER:
3817 JENIFER ST NW

Sally + Steve O'Briant | 3817 Jenifer St NW | Washington, DC 20015

February 2026

Dear Neighbor,

We wanted to let you know that we are planning to extend our house by building a new 1 story addition off the rear of our home. In order to obtain a building permit, we are required to obtain a special exception from the Board of Zoning Adjustment (BZA). We are asking for relief from the rear and side yard requirements.
The nature of the relief being sought is fairly technical, and I would be happy to review it with you in person at your convenience. I would also be happy to put you in touch with our Architect, Peter Nettelbeck RA, to discuss any questions or concerns you may have. He can be reached at pete@nettelbeckarchitecture.com.

We are in the process of filing an application with the Board of Zoning Adjustment (BZA) and we will be making a presentation at our local Advisory Neighborhood Council (ANC) Meeting. The meeting is open to the public and you are more than welcome to attend and contribute your thoughts and opinions.

The purpose of this letter is to ask for your support of our BZA application. Part of BZA process is to determine if granting the special exception will cause any negative effects on adjacent properties. We strongly believe that the project will not cause any negative impacts to your property.

We ask that you indicate your position and sign the letter below. These letters will be presented to both the ANC as well as the BZA as evidence of your position. You also can voice any concerns at either the ANC meeting or BZA hearing.

If you have any questions, please do not hesitate to contact us by calling Sally O'Briant
at (202) 413-2784 or emailing us at sallyobriant@me.com or steveobriant@hotmail.com

Yours truly,
Sally O'Briant
Sally + Steve O'Briant

✓ I support my neighbor in their effort to obtain zoning relief for their addition, and I have no objection to my neighbor in their effort to obtain zoning relief for their addition.

Jordan Tama — Jordan Tama — 2/28/26
Signature — Printed Name — Date

3809 Jenifer St, NW, Washington DC 20015
Address

Sally + Steve O'Briant | 3817 Jenifer St NW | Washington, DC 20015

February 2026
2/23/26

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Charles King — Charles King — 2/23/26
Signature — Printed Name — Date

3816 Jenifer St NW
Washington, DC 20015
Address

Sally + Steve O'Briant | 3817 Jenifer St NW | Washington, DC 20015

February 2026

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Yours truly,

Sally and Steve O Briant

Sally + Steve O'Briant

✓ I support my neighbor in their effort to obtain zoning relief for their addition, and I have no objection to my neighbor in their effort to obtain zoning relief for their addition.

NW Megan Lavin 2/26/26

Signature Printed Name Date

3810 Jenifer Street, NW DC 20015

Address

Sally + Steve O'Briant | 3817 Jenifer St NW | Washington, DC 20015

February 2026
2/23/26

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Yours truly,

Sally + Steve O'Briant

X I support my neighbor in their effort to obtain zoning relief for their addition, and I have no objection to my neighbor in their effort to obtain zoning relief for their addition.

Patricia M. Wagner Patricia M. Wagner 2/23/2026

Signature Printed Name Date

3814 Jenifer Street NW, Washington, DC 20015

Address

Sally + Steve O'Briant | 3817 Jenifer St NW | Washington, DC 20015

February 2026
2/23/26

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Yours truly,

Sally + Steve O'Briant

✓ I support my neighbor in their effort to obtain zoning relief for their addition, and I have no objection to my neighbor in their effort to obtain zoning relief for their addition.

2 Nettelbeck Traces Harpe 2/23/26
Signature Printed Name Date

3821 Jenifer St, DC 20015
Address

Sally + Steve O'Briant | 3817 Jenifer St NW | Washington, DC 20015

February 2026

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We wanted to let you know that we are planning to extend our house by building a new 1 story addition off the rear of our home. In order to obtain a building permit, we are required to obtain a special exception from the Board of Zoning Adjustment (BZA). We are asking for relief from the rear and side yard requirements.
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Yours truly,

Sally + Steve O'Briant

✓ I support my neighbor in their effort to obtain zoning relief for their addition, and I have no objection to my neighbor in their effort to obtain zoning relief for their addition.

Martha Moss Martha Moss 2/24/26
Signature Printed Name Date

3819 Jenifer St. NW, Washington DC 20015
Address

> My name is Deborah DuSault and I live with the boundaries of this pending case at 3811 Jocelyn Street, NW I am writing to express my concerns about this application going forward. I do not believe that it should be approved.
>
> The proposal appears to be much bigger than legally allowed, no 25 ft setback. The proposal of a structure so close to another building which would completely crowd out the abutting house would significantly affect not only the value of the property but make the existing structure very unappealing
>
> Furthermore it is out of character with the neighborhood.

Deborah DuSault

Nettelbeck Architecture Response:

Many R-1B zone buildings or garages were built withing the current setback requirements. The planned one-story addition will be built on top of the current garage structure and is consistent with other buildings in the zone.

The proposed single-story ground floor extension is situated at the rear of the property and has been carefully designed to integrate harmoniously with the existing structure. Due to the size and location of the addition it will barely be visible from the street.

BZA Case No. 21452: 3817 Jenifer Street NW
Submission from Henry Turnbull and Katie Balloch, 3814 Jocelyn Street NW

Dear Members of the Board of Zoning Adjustment,

We are writing regarding BZA Case No. 21452, concerning the proposed addition at 3817 Jenifer Street NW.

We live at 3814 Jocelyn Street NW with our two young children. Our property sits directly across the rear alley from the proposed project. We are concerned that the proposed addition would materially reduce the privacy and enjoyment of two of our bedrooms, our dining room and our rear garden.

The rear of 3817 Jenifer currently faces our garden and rear-facing windows, including the windows of our master bedroom, our daughter's bedroom and our dining room. However, the existing structure is set back far enough that there remains some meaningful separation and privacy. The rear of the property currently has only one small window directly visible from our property. We have attached photos showing the current view from our dining room and from our master bedroom window.

The plans show a new living area built over the existing garage/deck, with large windows on the alley-facing elevation facing directly across the alley toward our property and other Jocelyn Street properties. For our home, that would create direct sightlines into areas where we currently have a reasonable degree of privacy, including our master bedroom, daughter's bedroom, dining room and rear garden.

We understand that the applicants are seeking special exception relief for rear yard and side yard requirements, and that the ANC voted to support the application. We respectfully ask the Board to consider the direct privacy impact on the immediately affected Jocelyn Street properties.

At the ANC meeting, the applicant's architect acknowledged that the proposed windows would be above the existing privacy fence. The discussion also indicated that a person standing inside the proposed addition would have an eye level approximately 14 feet 5 inches above the alleyway. Given the narrow alley, the reduced separation and the direct alignment with our bedroom and dining room windows, we believe the privacy impact is substantial and should not be treated as ordinary rear-yard adjacency.

We therefore respectfully ask the Board either to deny the requested relief or, at minimum, to require privacy-protective changes as a condition of approval. Appropriate mitigation could include:

- reducing or relocating windows facing Jocelyn Street properties;
- replacing alley-facing clear-glass windows with frosted or translucent glazing; and
- requiring fixed privacy screening or equivalent mitigation.

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EXHIBIT NO. 24

We ask that the Board review the attached photos and the proposed elevations carefully when considering whether the proposal would unduly affect the privacy and enjoyment of our home and garden.

Thank you for considering this submission.

Sincerely,

Henry Turnbull and Katie Balloch
3814 Jocelyn Street NW
henryturnbull6@gmail.com / (202) 264-9152



View of the current rear of 3817 Jenifer Street from our master bedroom window



View of the current rear of 3817 Jenifer Street from our dining room sliding doors and rear garden

Nettelbeck Architecture Response:

The images above show the east side of 3817 Jenifer St NW. No addition is proposed for this side of the house. Our proposed 1 story addition is on the west side of the property and protected by tree cover. The area above the garage is currently a deck with open sightlines. The proposed addition would limit the visibility towards the alley as well as, rear and side neighbors. The neighbors at 3814 Jocelyn NW will received more privacy, not less. Please reference the existing vs proposed sightlines at addition slide | facing north.

From the OP Report:

"The addition would replace an existing open deck with an enclosed space of similar footprint. The project does not introduce new elevated outdoor areas or new vantage points that would increase visibility into adjoining rear yards. The enclosed nature of the addition would reduce, rather than increase, potential privacy impacts. The project therefore would not unduly affect the privacy of use and enjoyment of neighboring properties.

Cochran, Patricia (DCOZ)

From: Mira Courpas <mfcourpas@gmail.com>
Sent: Tuesday, June 9, 2026 5:20 PM
To: DCOZ - BZA Submissions (DCOZ)
Cc: Mira Courpas
Subject: Case # 21452 3817 Jenifer St, NW 20015

Follow Up Flag: Follow up
Flag Status: Completed

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Some people who received this message don't often get email from mfcourpas@gmail.com. Learn why this is important

I am writing today to voice my strong opposition to the building of the structure in the rear of 3817 Jenifer St, NW DC 20015. I live across the alley to the East two houses at 3810 Jocelyn St, NW, which is well within the 200' radius.

I am **opposed** to the construction for several reasons.

1. Precedent setting for future projects. The 8' side and 25' rear setbacks are complete;y eliminated. THe vast majority of the houses within our neighborhood comply with the 25' rear set back and 8' side setback. It is my fear that allowing this building to max out the lot will change the gracious space and greenery we enjoy in Chevy Chase, DC. If every home was allowed this exemption it would completly change the look and feel of the neighborhood.

2. Lack of privacy. Many of us chose to live in the neighborhood becuase we can enjoy a sense of privacy in our rear and side gardens, and engage with the community in the front of our homes, when we desire. The construction at 3817 would take away privacy for those that live on wither side of 3817 and those on Jocelyn St that live behind 3817. The simple fact that the structure will be sigificantly taller (25' or so) than the the homes across the ally is quite intrusive. We do not want a house looming over our rear gardens where we once had privacy. And no fence can block this intrustion. We will also be subject to bright lights at night, where we now have relative darkness.

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3. Size and placement of new contruction uncommon. When the architect presented his arguemnts at the ANC meeting he showed several examples of garages that abutted the ally. These structures were built at the same time the homes were built (in the 1900s and 1920s) before the zoning laws and should not be included in the discussion.

4. Aging in place? We understand that the niehgbors need the new contsruction to Age in Place. However, were were also told that there would not be a bedroom or a bathroom inside the structure. So, I don't believe we received the enture story about the actual use pf structure.

5. Lack of clarity on voicing opposition. The neighbors were not told that a vote would occur the date of the ANC Zoom meeting. In fact, they ANC did not need to vote that day and briefly discussed waiting until next month's meeting to vote, which would still be before the July 1 BZA hearing, and give neighbors more time to present their opinion. A few of us voiced our opposition, but our comments were ignored and the ANC voted to approve the construction. Additionally, our ANC representative, Liz Nagy lives across the street from the O'Briants and has been a friend and neighbor for years. I am not clear on why she did not recuse herself from voting.

6. Consider neighbors most affected. While several neighbors on the North side of Jocelyn Street that will never see the structure or be affected by it in anyway voted to approve, I believe the neighbor's living closest to 3817 Jecnifer, should have their concerns considered in a weighted manner.

Thank you very much for reading my comments and considering my concerns.

Maroudia (Mira) F. Courpas

3810 Jocelyn St, NW

Washington, DC 20015



fig. 1



fig. 2

Nettelbeck Architecture Response:

1. Many structures in the R-1B zone were built withing the current setback requirements. The proposed one-story addition will be built on top of the current garage structure and is consistent with other buildings in the zone.
2. See answers of from above response.
3. Many structures were built before the current zoning code, and many have been approved upon since the original footprints were set. Having a structure in the setbacks is common in the R-1B zone.

From the OP Report:
"Along the alley, the proposed massing is consistent with the scale of other rear additions and accessory structures on the block. The addition maintains the existing building footprint and does not introduce height or bulk inconsistent with the established alley character. The project would therefore not unduly affect the character, scale, or pattern of houses along the street or alley"

4. My clients are finishing a renovation on the on the ground floor bath to make is accessible so they can age in place (fig. 1). See permit B2605262 (fig. 2). The plan is to eventually convert the ground floor office to a bedroom, so they can live mainly on one level.
5. See Exhibit 30
   Letter from Commissioner Elizabeth A. Nagy, ANC 3/4G in Response to Constituent Concerns
6. Noted.

Re: Special Exceptions Application No. 21452

Party Status Criteria Responses:

The following information demonstrates that we have a significant and relevant interest in the outcome of the referenced special exception application and that we seek to be recognized as a party. Our responses to the Board's questions about party status are not exhaustive and do not constitute a response to the application. We reserve the right to provide further information before the July 1st hearing, although we do not plan to call witnesses at this stage.

1. How will the property owned or occupied by such person, or in which the person has an interest be affected by the action requested of the Commission/Board?

- The applicant is seeking to build a habitable residential structure — with windows, a fireplace, and entrances — in a location the zoning code reserves for accessory, low-impact uses, at a height that overrides the privacy infrastructure neighbors have already built, without having demonstrated either hardship or the absence of injury to the neighborhood.

- If the special exceptions are approved, we, as neighbors, will suffer substantial adverse impacts, including, but not limited to, a significant loss of enjoyment and use of our property due to severely diminished privacy. The loss of privacy and other impacts will reduce our property's economic value.

2. *What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)*

- We are owners of 3816 Jocelyn St., NW, Washington, DC 20015. We have owned the home since 1999.

3. *What is the distance between the person's property and the property that is the subject of the application before the Commission/Board? (Preferably no farther than 200 ft.)*

- The distance between the applicant's property boundary and our property boundary is approximately 12 feet, which is the width of the public alley.

4. *What are the environmental, economic, or social impacts that are likely to affect the person and/or the person's property if the action requested of the Commission/Board is approved or denied?*

- If approved, the adverse impacts would include, but are not limited to:
  - Loss of reasonable privacy,
  - Impacts to air and light,

Re: Special Exceptions Application No. 21452

  - Fire safety and code concerns,
  - Incompatibility with the alley's function and character,
  - And, more broadly, establishes a precedent for two-story structures abutting public space that would change the character and nature of the residentially zoned neighborhood.

5. *Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied.*

Loss of Reasonable Privacy

- The proposed addition, effectively two stories tall, would rise above the existing privacy fences that neighbors erected in reasonable reliance on the current built environment. Our home includes twelve large windows or glass doors facing the alley, which are visible from the proposed height and location of the applicant's addition.

- The applicant has proposed building two large windows facing the alley, at second-story height, which would create direct sightlines into our backyard, which includes an outdoor living area on a deck, a side yard, and private living spaces, including rear rooms, dining room, kitchen, living room, and two second-story bedrooms. Other neighbors who sit across the alley from the applicant, like us, would be similarly impacted.

- The loss of our reasonable expectations of privacy in areas such as our backyard, deck, side yard, and other first- and second-floor private living spaces should be recognized as harmful to the neighborhood, not merely a personal choice.

- The application does not acknowledge the loss of privacy to their neighbors like us across the alley and has not proposed adequate mitigation.

Light and Air Impacts

- Despite a request for the applicant to share their air and light impact studies, none have been provided. A twelve-foot-wide alley provides limited separation. At second-story height, with reduced side and rear setbacks and a fireplace, the addition will cast shadows on neighboring yards, patios, and gardens and cause undue impacts on our air quality and our neighbors'.

Fire Safety and Code Concerns

Re: Special Exceptions Application No. 21452

- A fireplace located within feet of a property line and across from a streetlamp raises fire-safety concerns that the applicant neither acknowledges nor addresses in their application.

- The applicant does not address the proximity to a public streetlamp in the alley. The streetlamp hangs over the alley and sits directly across from the proposed addition.

Alley is a Public Way

- The alley is a public space that serves a public function and is not merely a shared private space. Building within feet of a public alley at second-story height, with a fireplace, affects not just neighbors but the public.

- The alley's twelve-foot width is a fixed constraint. Adding a habitable second story with windows and a fireplace that looms over the alley transforms what is currently an accessory/garage structure into a habitable residential structure in a location that the zoning code deliberately treats differently from primary building envelopes.

- The addition is not merely an expansion of the home but a change in the character of the structure relative to the alley — from accessory to residential — and that the setback rules exist precisely to prevent this transformation.

6. Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public.

- Please see our previous responses.

- Additionally, we believe that for the extraordinary special exceptions to be granted, there must be a clear showing by the applicant that the request addresses practical difficulty or unnecessary hardship. The contemplated variance exceptions, as applied to this specific lot, will produce an inequitable result.

- The existing garage and overlaying deck footprint, which may have resulted from a prior exemption from zoning requirements granted to applicants many years ago, is not a hardship imposed by the zoning regulations — they are the result of prior owner choices. Wanting a larger living space is not a hardship.

Re: Special Exceptions Application No. 21452

- Other compliant design alternatives exist (a smaller addition, a reconfigured footprint) — the applicant has not demonstrated that strict compliance with setbacks makes the property unreasonably unusable.

- The hardship, if any, is self-created, which we believe is grounds for denial.

Nettelbeck Architecture Response:

Privacy - We are providing more privacy not less. See response above.

Impacts to light and air - The impact of an additional story to the rear of the house on the Applicant's property will have minimal impact on light and air for properties located to the north across the alley, and west. The adjacent western neighbor at 3819 Jenifer St NW has signed a letter of support.

OP Report: *"Given the modest height, location above an existing footprint, and substantial side-yard separation to the east, the project would not result in undue impacts to light and air."*

Fire Safety - A gas fireplace has been proposed for the addition In the rear of the property. We will follow all building codes and fire separation requirements to create a safe environment.

Alley Access - The proposed addition will be built on top of the existing garage structure. There will be **No** change to alley access for neighbors who share the alley.

Hardship – See response above

Burden of proof

The burden of proof for special exception is two-fold, and the Applicant must demonstrate the following:

1. How the proposed special exception will be consistent with the general intent and purpose of the Zoning Regulations and Map

   Many R-1B zone buildings or garages violate side and rear yard setback requirements. The planned one-story addition will mostly be built on top of the current garage structure and is consistent with other buildings in the zone. The addition will be at the back of the property and barely visible from the street.

2. How allowing the use will not adversely affect the use of the neighboring property – ie. traffic, noise, lighting, etc.

   The existing use of the property as a single-family dwelling will remain unchanged. No additional traffic or noise will be generated because of this special exception. The design and massing of the ground-floor addition have been carefully considered to minimize the natural light impact to the adjacent properties.

Additionally, special exceptions granted under section 5201 are required to meet the following criteria:

1. Not unduly affect light and air available to neighboring properties

   The impact of an additional story to the rear of the house on the Applicant's property will have minimal impact on light and air for properties located to the north across the alley. The properties across the street are two and three-detached houses and will not be affected.

2. Not compromise the privacy of use and enjoyment of neighboring properties

   Adjacent properties will enjoy the same degree of use and privacy as they currently have now. The area of the proposed addition is currently a deck with open sightlines. The proposed addition would limit the visibility towards the alley as well as, rear and side neighbors. The Applicant has met with both adjacent neighbors and has obtained many letters of support for the project.

3. Not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage

   The proposed single-story ground floor extension is situated at the rear of the property and has been carefully designed to integrate harmoniously with the existing structure. Due to the size and location of the addition it will barely be visible from the street.