

Burden of Proof

Special Exception Application

To: **D.C. Board of Zoning Adjustment**
441 4th St NW, Suite 210S
Washington, DC 20001

For: **Heather and Nathan Gonzales**
Applicant
910 6th St. NE
Washington, DC 20002

By: **Lacy Brittingham AIA**
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Authorized Agent
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Washington, DC 20002

Date: September 24, 2018

Subject: **BZA Application, Special Exception Relief**
910 6th St. NE (Square 0831, Lot 0039)

Heather and Nathan Gonzales, owners of 910 6th St. NE, hereby apply for zoning relief to construct a rear two-story addition, by authorization of Subtitle X, Chapter 9 per the provisions and requirements of Subtitle E, Section 5201. The aspects of the proposed project that fall outside the current zoning regulations are as follows:

The proposed lot occupancy of 68.5%, exceeds the allowed lot occupancy of 60% (11 DCMR Subtitle E, Section 304.1).

The proposed addition extends greater than the allowed ten foot (10.0') beyond the farthest rear wall of any adjoining principal residential building on an adjoining property (11 DCMR Subtitle E, Section 205.4). From the adjoining neighbor's farthest rear wall (at the second level), the proposed addition would extend 14'-11".

I. Summary

- A. This special exception qualifies under 11 DCMR Subtitle E, Section 5201 because the lot occupancy does not exceed 70% and the rear addition will not unduly affect the

light and air available to neighboring properties, nor will it have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property.

- B. The proposed addition will be similar in character and style to the existing houses and additions to existing houses in the neighborhood.

II. Basis for Grant of Special Exception

Subtitle E, Section 5201 provides relief based on satisfying specific criteria under which additions may be permitted within the RF-1 zone as a Special Exception as follows:

- a) *The light and air available to neighboring properties shall not be unduly affected.*

All the properties along the west side of 6th Street on this block have unusually large dimensions at 98.0' in length. A similar dimension exists for the properties across the alley on this block. These property dimensions allow space for either large additions or accessory (garage) structures for the houses on this block while retaining generous rear yards. These large yards allow for light and air throughout the block. In addition, 910 6th Street abuts a rather unusual element in the Capitol Hill neighborhood – a large surface parking lot. This large parking lot additionally allows for light and air into the center / alley of this block. The addition, as proposed, at 910 6th Street, would still retain *more* than the minimum rear yard setback at 26.8'.

- b) *The privacy of use and enjoyment of neighboring properties shall not be unduly compromised.*

The proposed addition will not unduly compromise the privacy or enjoyment of the neighbor. The neighbor at 912 6th Street has a rear porch open to the sides and the owners of 910 6th Street would like to have a similarly open-air-but-covered porch as their neighbor enjoys. The open-air, first floor porch covered by an extension of the second floor reduces the impact of the addition in the same way as is accomplished by the similar massing at 912 6th Street. The second floor of the proposed addition will have no windows along the north property line, preventing any views into the windows of the neighbor's second floor. The property to the south is a surface parking lot and so the privacy of use and enjoyment justification is not applicable.

- c) *The addition, together with the original 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 subject street frontage.*

The addition is designed in a style and vocabulary typical of additions to other existing rowhouses in the neighborhood. The dogleg was retained on both levels as is a common form in the neighborhood and with rowhouses in general. The existing two-story volume on the south side is rather short at 28.7' in length. The dogleg form was used to extend the two-story volume to a reasonable 42.86' length whereby the mass steps down to a single story "filled-in" dogleg, which in turn does not run the full length of the total addition. Additionally, the placement of this new dogleg on the south side allows for the massing of the house to step down on the side where viewed from the public way. The homeowner desired a screened porch at the rear of the house which will further break up the mass of the proposed addition with an element that is somewhat "see-through" and additionally has a different pattern of materials and trim which will help bring visual interest to the length of the proposed addition. The existing 96" roll-up car gate and the existing 72" wood fence will remain to further lessen the impact of the proposed changes to 910 6th St. NE.

Please refer to the drawings for the size, scale and detail notes pertaining to the design of the proposed addition.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lacy Brittingham". The signature is fluid and cursive, with the first name "Lacy" being more prominent and the last name "Brittingham" following in a similar style.

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