

Burden of Proof Special Exception Application

1609 G Street SE

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

From: **Jennifer Fowler**
Agent/Applicant
1819 D Street SE
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Date: March 17th, 2022

Subject: **BZA Application, Mitra-Shah Addition**
1609 G Street SE (Square 1092, Lot 0018)

Trin Mitra & Paromita Shah, owners and occupants of 1609 G Street SE, hereby apply for a special exception pursuant to 11 DCMR Subtitle X, Chapter 9, to build a three-story rear addition with enclosed space at the cellar, and a partial rooftop addition, to an existing attached row dwelling in the RF-1 zone. The zoning relief requested is as follows:

Application of Trin Mitra and Paromita Shah, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exception under Subtitle E § 5201, from the lot occupancy requirements of Subtitle E § 304.1, to construct a three-story rear addition and a rooftop addition to an existing single family row dwelling in the RF-1 Zone at premises 1609 G Street S.E. (Square 1092, Lot 0018).

I. Summary:

This special exception qualifies under ZR-16 Subtitle D, Chapter 5201 and 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.

The proposed addition will expand the first and second floor levels and add a 3rd floor level. It will increase the lot occupancy from 945.5SF (59.8%) to 1,070.6 SF (67.8%).

The proposed addition will extend 6'-3" past the existing structure, which will also be 6'-3" past the existing neighbors to the east and west. Therefore, the proposed rear addition will not extend past the 10' maximum allowed by-right. (Subtitle E § 205.4).

II. Qualification of Special Exception

5201 Special Exception Review Standards

By satisfying the requirements of E-5201.3 through E-5201.6, the application also meets the general special exception requirements of X-901.2.

5201.3 An applicant for special exception under this section shall demonstrate that the addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

(a) The light and air available to neighboring properties shall not be unduly affected;

Board of Zoning Adjustment
District of Columbia
CASE NO.20738
EXHIBIT NO.8

1611 G Street SE

1611 G Street SE lies to the east of the proposed addition at 1609 G Street SE. The proposed rear wall at 1609 G Street SE will extend 6'-3" past the existing rear wall at 1611 G Street SE. The proposed addition will include a third floor above the existing footprint of the house, as well as a new rear addition. Because of the depth of the addition, the light and air available to 1611 G Street SE will be impacted somewhat. However, the overall impact will not be undue because the houses are oriented north south. Shadows will be limited to afternoon hours.

1607 G Street SE

1607 G Street SE lies to the west of the proposed addition at 1609 G Street SE. The proposed rear wall at 1609 G Street SE will extend 6'-3" past the existing rear wall at 1607 G Street SE. The proposed addition will include a third floor above the existing footprint of the house, as well as a new rear addition. Because of the depth of the addition, the light and air available to 1607 G Street SE will be impacted somewhat. However, the overall impact will not be undue because the houses are oriented north south. Shadows will be limited to morning hours.

Neighbors to the South

Neighbors to the south of 1609 G Street SE are separated from the property by a 15'-0" alley, privacy fences, and rear yards. The proposed rear addition will extend 6'-3" beyond the existing rear wall of 1609 G Street SE. Additionally, the 3rd floor addition will extend above the existing roof of 1609 G Street SE. The increase in height and depth will cause additional shadows to be cast into the rear yards of neighbors to the south (especially 712 16th Street SE) However, this will be limited to the morning hours.

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

1611 G Street SE

1611 G Street SE lies to the east of the proposed addition at 1609 G Street SE. The proposed rear addition will extend 6'-3" past the existing rear walls at both 1611 G Street and 1609 G Street. The new rear wall will have sliding glass doors and sidelights at the cellar, first, and third floors, and casement and transom windows at the second -floor level. The third-floor addition will include a small 4'-0" depth deck, which will allow for additional views into the rear yard of 1611 G Street SE. Therefore, the proposed addition at 1609 G Street SE will cause a slight decrease to the privacy of use and enjoyment of 1611 G Street SE. However, the impact will not be undue.

1607 G Street SE

1607 G Street SE lies to the west of the proposed addition at 1609 G Street SE. The proposed rear addition will extend 6'-3" past the existing rear wall of 1607 G Street. The new rear wall will have sliding glass doors and sidelights at the cellar, first, and third floors, and casement and transom windows at the second -floor level. The third-floor addition will include a small 4'-0" deep deck, which will allow for additional views into the rear yard of 1607 G Street SE. The proposed addition at 1609 G Street SE will cause a slight decrease in the privacy of use and enjoyment of 1607 G Street SE. However, the impact will not be undue.

Neighbors to the South

The proposed rear addition at 1609 G Street SE will extend the existing house by 6'-3" on all floors and will include a third-floor addition above the existing footprint of the house. The new rear wall will have sliding glass doors and sidelights at the cellar, first, and third floors, and casement and transom windows at the second-floor level.

The proposed glass doors & windows along the southern wall of the addition and the increase in height will allow for additional views into the rear yards of neighbors to the south (especially 712 16th Street SE). Views into the rear yards of other houses to the south will be minimized by the existing 15'-0" alley, rear yards, privacy fences, and existing garages. Overall, the proposed rear addition at 1609 G Street SE will not unduly compromise the privacy of use and enjoyment of neighbors to the South.

- (c) *The addition or accessory structure, together with the original 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 subject street frontage;*

The existing square is extremely dense with backyards, privacy fences, garages, and a public alley. The front facade of the third floor will be set back 5'-0" from the existing front wall to break up the massing of front facade. The rear portion of the addition will be visible from the alley and from the properties to the south. However, it will not be visible from the street. Additionally, the proposed addition will be constructed with high quality materials and will be appropriate in scale for the existing houses.

- (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*

Plans, photographs, and elevational drawings have been submitted into the record.

5203 Special Exception Review Standards

In an RF zone district, relief from the design requirements of Subtitle E § 206.1 may be approved by the Board of Zoning Adjustment as a special exception under Subtitle X, Chapter 9, subject to the conditions of Subtitle E § 5203.3.

5203.1 The Board of Zoning Adjustment may grant as a special exception a maximum building height for a principal residential building and any additions thereto of forty feet (40 ft.) subject to the following conditions:

- (b) *Any addition, including a roof structure or penthouse, shall not block or impede the functioning of a chimney or other external vent on an adjacent property required by any municipal code;*

The plans indicate that the existing chimney at 1611 G Street SE will be extended so that it is higher than the proposed third floor.

- (d) *Any addition, including a roof structure or penthouse, shall not interfere with the operation of an existing or permitted solar energy system on an adjacent property, as evidenced through a shadow, shade, or other reputable study acceptable to the Zoning Administrator;*

There is a solar system on the adjacent property to the west, 1607 G Street SE. Both the property owners at 1607 & 1609 have signed a solar Memorandum of Understanding, see Exhibit A.

- (e) A roof top architectural element original to the house such as a turret, tower, or dormers shall not be removed or significantly altered, including changing its shape or increasing its height, elevation, or size.

The existing mansard roof & cornice will remain at the front facade. There are no architectural elements that will be removed.

(f) In demonstrating compliance with Subtitle E § 5203.1(e) the applicant shall use graphical representations such as plans, photographs, or elevation Subtitle E-34 and section drawings sufficient to represent the relationship of the conversion and any associated addition to adjacent buildings and views from public ways.

902 Application Requirements


An application for a special exception shall meet the requirements of Subtitle Y § 300.

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

- a) Photos of the existing house and surroundings.
- b) Plan and elevation drawings of proposed addition, including a site plan showing the relationship of the proposed addition to adjacent buildings.
- c) Official Plat from the DC Office of the Surveyor.

If you require any further clarification or have any questions regarding the application, we are available at any time to discuss them with you.

Thank you,

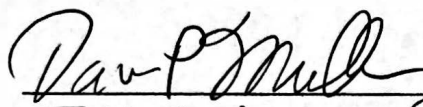
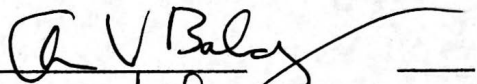
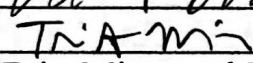
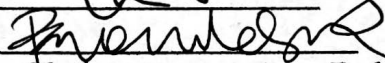


Jennifer Fowler
Agent/Architect

Memorandum of Understanding

This document reflects a memorandum of understanding between Trin Mitra and Paromita Shah, owners of 1609 G Street SE, and Ann Baldinger and David Mueller, owners of 1607 G Street SE, with regard to the planned third-story addition to the Shah-Mitra Residence.

The parties are aware that there are solar panels on the roof of 1607 G Street SE. To mitigate the potential impact to the solar panels at 1607 G Street SE, Trin Mitra and Paromita Shah will compensate Ann Baldinger and David Mueller a one-time payment in the amount of \$1200. The payment will be made once construction has begun at 1609 G St SE.

	
	
Trin Mitra and Paromita Shah	Ann Baldinger and David Mueller