



BOARD OF ZONING ADJUSTMENT
Applicant's Statement for Special Exception
109 11th Street, SE

I. Introduction and Nature of Relief Sought.

This application is submitted on behalf of Stephen Mallott and Yunus Arslan, the owners of the property located at 109 11th Street, SE, Square 0968, Lot 0822. There is a two-story, attached single family row-house located on the property. The property is in an RF-1 zone district and the land area is 1825sf.

The subject property is being used, and will continue to be used, as a single family residence, with the proposed second floor addition extending to the rear exterior wall of the existing first floor. The proposed addition will extend 19' past the adjacent property to the south. In as such, the applicant is seeking special exception approval pursuant to E-205.5 and E-5201, allowing a rear addition to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on any adjacent property.

II. Jurisdiction of the Board

The Board has jurisdiction to grant the special exception relief requested pursuant to Subtitle X-901.2

Pursuant to Subtitle X-901.2 of the Zoning Regulations, the Board is authorized to grant special exception relief where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property.

III. The Application Meets the Requirements for Special Exception Relief.

Since the building will continue to be occupied as a single family residence, it is in harmony with the general purpose and intent of the Zoning Regulations in an RF-1 zone district. The proposed addition will not adversely affect the use of the neighboring properties.

The Application meets the Specific Requirements of Subtitle E § 5201.

The Applicant is requesting special exception relief from the ten-foot rule pursuant to E § 205.5 as evaluated against the criteria of E § 5201. The Applicant is requesting relief because their home/structure extends nineteen feet (19') past the rear wall of the adjoining building to the south.

Section 5201.4(a) "The light and air available to neighboring properties shall not be unduly affected; The additional 9' of building length from what is a matter of right (10') will not unduly affect light and air available to the neighboring property to the south. The Applicant will provide shadow studies demonstrating that the light and air available to the building to the south shall not be unduly affected, simply because of its location completely south of the Subject property.

Section 5201.4(b) “The privacy of use and enjoyment of neighboring properties shall not be unduly compromised; The privacy of use and enjoyment of any neighbors will not be unduly compromised by the proposed addition. There are no proposed windows on either side of the proposed addition.

Section 5201.4(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 addition, as viewed from the street, shall not substantially visually intrude upon the character, scale, and pattern of houses along 11th Street, SE. As demonstrated by the photographs and graphics submitted with the application, the proposed addition is not visible from the street.

Section 5201.4(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; and; The Applicant has included plans and photographs sufficient to represent the relationship of the proposed Project to adjacent buildings and views from public ways with this Application. Section 5201.4(e) “The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.” The Applicant will comply with Board directives for protection of adjacent and nearby properties.

Since the property is located in the Capitol Hill Historic District, the only addition permitted by HPO is a rear addition that is not visible from the street. This eliminates a third floor addition and leaves the proposed second floor addition the applicant’s only viable option to add a second bedroom to their home.

For the reasons stated above, this Application meets the requirements for special exception relief by the Board, and the Applicant respectfully requests that the Board grant the requested relief.

Sincerely,



Gregory Kearley, AIA, LEED AP