



**KGRW & Associates, LLC**

Development Services | Planning | Architecture | Interiors

## **Statement of Explanation:**

- 1. Existing and Intended Use of the Structure**
- 2. Basis for Granting Special Exception**

Lloyd Jones Residence  
1112 8<sup>th</sup> St NE  
Washington, DC 20002

Zone District: RF-1

## **Existing and Intended Use**

The Owner would like to have a covered porch/ pergola area at an expanded roof deck. The existing roof deck extends from the existing stair pop up to the railing at the rear of the structure. It is currently bounded on one side by the neighboring structure to the north that has a 3<sup>rd</sup> floor wall corresponding to most of the building. To the south is a smaller lot for the row house, as the alley borders the rear yard portion of the subject property. The roof deck currently does not have any protection from sun or rain. The intended use for the roof deck is to increase the size to include the area aligned with the front portion of the pop up stair to accommodate guests and entertaining; add more convenience with sink, icemaker, cabinets; provide more protection from the elements with a portion of the roof deck covered by roof and windows on front side for ability to break the wind or have cross-ventilation depending on the weather; provide a portion with the ability to be fully open or protected from the sun with a retractable canopy. for it to have a portion that is fully covered (ie, solid roof) to protect from the rain/elements; provide slat wall screen for privacy and material texture.

## **Special Exception Sought:**

**For Relief from Subtitle E, Section 303.1: seeking relief from a maximum height of 35' to be the proposed 38'.**

## **Basis for Granting Special Exception**

**Subtitle E, Section 303.1** specifies a maximum height of 35' and three stories.

**Subtitle E, Section 303.3** specifies that a structure may be built to a height of 40' if approved by the Board of Zoning Adjustment as a special exception under Subtitle X, Chapter 9, subject to Subtitle E, Section 5203



**Subtitle E, Section 5203** addresses certain criteria for special exception approval for increasing the building height to forty feet (40’):

Per Section 5203.1, certain criteria must be demonstrated in support of the special exception sought. This case addresses each of the criteria:

- (a) The proposed construction shall not have a substantially adverse effect on the use and enjoyment of any abutting or adjacent dwelling or property. In particular:
- (b) Show graphically with plans, photos, elevation, and section drawings to sufficiently demonstrate that:
  - a. Light and air available to neighboring properties shall not be unduly affected. See attached drawings and photos. The proposed roof deck covered areas are mainly bounded by the existing full height wall of the neighbor to the north and by the existing pop-up stair that buffers the neighbor to the south. The structure of the existing property to the south is somewhat removed from the proposed construction, and the proposed structure will not impede light and air to its property. The light and air to the property to the north structure to the north of the property will have minimal impact from the proposed roof deck as most of it is bounded by the existing party wall. The proposed pergola approximates the same height as that existing neighbor’s building wall, and the portion of the pergola that extends past the neighbor’s structure is the more open pergola section. The slatted privacy screen allows for air flow to occur. Both neighbors to either side of the subject property, as well as the neighbor on the lower floors of the subject property, have all signed letters in support of the Special Exception relief being sought.
  - b. The privacy of use and enjoyment of neighboring properties shall not be unduly affected. The proposed roof deck covered areas are mainly bounded by the existing full height wall of the neighbor to the north and by the existing pop-up stair that buffers the neighbor to the south. The structure of the existing property to the south is somewhat removed from the proposed addition; therefore, the privacy and use of that neighboring property will not be unduly affected. The structure to the north of the property will have some additional slat wall screening to enhance privacy between its rear windows and the roof deck. Both neighbors to either side as well, as the neighbor on the lower floors of the subject property, have all signed letters in support of the Special Exception relief being sought.
  - c. The proposed construction 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 or alley. The scale of the proposed pergola is appropriate for a roof deck. It is minimally visible from the street, set far back from the front, much less visible than the 3<sup>rd</sup> floor addition of the neighboring structure to the north. From the alley view, the covered roof portion is mostly tucked between the existing stair



pop-up and the existing 3<sup>rd</sup> floor addition of the neighboring structure to the north, so the proposed pergola does not visually intrude on the view from the alley.

- (c) 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 or nearby properties, or to maintain the general character of the block. The proposed pergola addition includes design features that help it buffer its impact to adjacent neighbors and to maintain the general character of the block.

**Subtitle X, Chapter 9** provides the general criteria for approval of Special Exceptions. The criteria are listed in Section 901.2. The proposed Special Exception sought meets these criteria:

- (a) Will be in harmony with the general purpose and intent of the Zoning Regulation and Maps:
- a. The subject property is within a zone district that is surrounded by similar RF-1 zoned properties.
  - b. Many of these residences have roof decks or 3<sup>rd</sup> floors with interior space. The proposed pergola is in harmony and less intrusive than a 3<sup>rd</sup> floor addition with interior space. It is setback significantly from the front of the property so as to be barely visible from any view from the street. The enjoyment of outdoor space, including covered and open outdoor spaces, is common to residents within this zone.
  - c. The proposed structure, as noted above under the Subtitle E Section 5203 discussion, is in scale and character with the scale of the surrounding houses within the zone.
- (b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps:
- a. Per Section 5203 discussion above, the Proposed structure will not adversely affect the use and enjoyment of neighboring properties.
- (c) Will meet such special conditions as may be specified in this title:
- a. We believe the design of the proposed structure does not require any further special conditions as it is compatible in scale and character within the community.

## Conclusion

For the above reasons, we believe that Special Exception sought for increasing the height of the structure to be 38' tall instead of the normal 35' zoning restriction. The zoning regulations allow for special exceptions to be requested up to 40' tall. We would request for this Special Exception application to be granted.

