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April 3, 2019

DC Office of Zoning  
441 4<sup>th</sup> Street NW  
Washington, DC 20001

RE: Burden of Proof Letter – BZA Special Exception - 4844 Reservoir Rd NW

Our client, Mariela Licha Salomon of 4844 Reservoir Rd NW, is seeking special exception for an expansion into the rear and side yard for an existing non-conforming structure.

**1. Background Info on Property**

The property is located in Square 1387, Lot 0074 in R-1-B zone. Pursuant to Chapter 3, Section 300.1 and 300.3, the purpose and intent of the R-1-B zone is to “Protect quiet residential areas now developed with detached dwellings and adjoining vacant areas likely to be developed for those purposes; and is intended to provide for areas predominantly developed with detached house on moderately sized lots.

The structure was built in 1954, and as such, predates the Zoning Regulations effective May 12, 1958, therefore making the structure non-conforming. The current structure is a semi-detached dwelling on an existing non-conforming lot. Further, the lot is triangular shaped, so any additions must seek BZA Relief.

**2. Special Exception Relief**

- A. The applicant seeks relief pursuant to Subtitle C, Section 202.2, which states Enlargements may be made to the structure, provided that the addition or enlargement itself shall: Conform to use and development standard requirements; and neither increase or extend any existing, nonconforming aspect of the structure; nor create any new nonconformity of structure and addition combined.
- B. The applicant also seeks relief pursuant to Subtitle D, Section 206.7, which states In the case of a building with a non-conforming side yard, an extension or addition may be made to the building, provided that the width of the existing side yard shall not be reduced or eliminated, and provided further that the width of the side yard adjacent to the extension or addition shall be a minimum of five (5) feet.
- C. This application meets the review standards under Subtitle X 901.2, as the dwelling is still a single family semi-detached dwelling, in harmony with the general purpose of the zoning regulations. There will not be an adverse affect on neighboring properties with the small rear addition as there are mature trees to remain along the property line.

- D. This application also meets review standard under Subtitle D-5201, as the lot occupancy is increasing by less than 6% and will be a 3 season room with glass and balcony above. This will provide the same light and air to neighboring properties.

**3. Conclusion**

Due to the existing dwelling having no side yard as it is semi-detached, we cannot conform to the current zoning regulations as written for detached dwellings in zone R-1-B. The addition of the enclosed rear addition and trellis coverings on the side yard will have no direct impact on traffic or noise. Lighting will be minimal and controlled to allow a safe path to the entrance of the semi-detached house. We believe this will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and will not adversely affect the use of the neighboring properties in accordance with the Zoning Regulations and Maps.

If you have any questions or comments, please do not hesitate to contact our office.

Sincerely,

*Thomas Manion, AIA*

Thomas Manion AIA, Principal Architect  
**MANION + ASSOCIATES, ARCHITECTS P.C.**