



1711 CONNECTICUT AVE. NW, 204
WASHINGTON, D.C. 20009

6/12/24 revised 6/26/24

BURDEN OF PROOF - 2525 Belmont RD NW (Square 2501, Lot 0030)

Fowlkes Studio, acting as Agent for 2021 PROJECT H SPV LLC, owner of 2525 Belmont Road in Northwest, hereby applies for a Special Exception per 11 DCMR Section D5201.1 parts a, b, and e for allowable lot occupancy, yards, and pervious surface area respectively.

I Summary

The project includes additions on the front and side of the house. These additions will increase the existing non conforming character of the property with regard to lot occupancy (above 40%) and the side addition will create a non conforming condition with regard to the side yard (min 8 feet).

Additionally the project will require relief due to non conforming pervious surface area (less than 50%), however, the proposal will not change the existing already non conforming characteristics of the site with regard to pervious surface area.

Therefore, this application seeks relief from development standards set forth in DCMR Title 11, Subtitle D, Chapters 208.2, 210.1, and 211.1 for side yard(s), lot occupancy and pervious surface respectively.

Given that lot occupancy is an existing nonconforming aspect of the structure, which is being increased by the proposal, the application also seeks relief from Subtitle C., Chapter 202.2 parts a. and b..

The project qualifies under 11 DCMR Section D5201.2 as an “addition to a building with only one (1) principal dwelling unit,” in the R-1-B/DC zone and per D5201.3 the project “shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property.”

II Special Exception Criteria

A. 11 DCMR Subtitle D5201.1

The Board of Zoning Adjustment may approve as a special exception in the R zones relief from the follow development standards of this subtitle, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:

- (a) *Lot occupancy*
- (b) *Yards*
- (c) *Minimum lot dimensions...*
- (d) *Pervious surface*

The subject property is in the R-1-B/DC zone and the proposal shall exceed the allowable lot occupancy, have side yard and rear yard that is less than the minimum dimension required, and it will have a previous surface area that is less than required.

B. 11 DCMR Subtitle D5201.2

Special exception relief under this section is applicable only to the following:

- (a) *An addition to a building with only one (1) principal dwelling unit; or*
- (b) *A new or enlarged accessory structure that is accessory to such a building*

The proposal involves additions to a building with only one (1) principal dwelling unit.

C. 11 DCMR Subtitle E D5201.3

An applicant for special exception under this section shall demonstrate that the proposed 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;*
- (b) *The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*
- (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 building is currently non conforming with regard to side yard on the SW side of the house, which is currently built face on line. There will be no change to this non conformity.

The existing building is also non conforming with regard to pervious surface area, however, given that the additions are proposed on top of existing hardscape, the proposal does not change the total pervious surface area of the property.

The proposal includes three additions that require zoning relief, which will be referred to henceforward as A., B., and C.

Addition A. is a metal and glass awning over the service door located in the front yard of the building. The awning projects from the house by three (3) feet and it is six (6) feet wide. It has no walls and only serves to keep sun and weather from the existing doorway.

Addition B. is an open-air porch over and around the front door. It is 11.5' wide and projects from the existing house by three (3) feet.

Additions A. and B. will not host any type of occupation other than to pass under to the existing passages.

There is a portion of the existing house that projects toward the street and neither Addition A. nor Addition B. extend farther toward the street than that portion.

Additions A. and B. are non conforming in so far as they increase the existing nonconforming lot occupancy characteristic of the existing house.

Addition C. is 13'-8" wide and 24'-4" deep. This one-story addition sits on the existing terrace and leaves a 18" side yard on the northern edge of the property for which it needs side yard zoning relief. Because of the trapezoidal shape of the lot, Addition C. is also non conforming on account of contributing to a rear yard of less than 25'. Finally, like Additions A. and B., Addition C. contributes to the already non conforming lot occupancy of the property.

The property has only one abutting neighbor who is to the southwest (side). The land to the northeast (side) and northwest (rear) is unzoned federal parkland.

The relief sought will have no impact on the light, air or privacy available to neighboring properties. Additions A. and B. are on the front of the building more than 20 feet from the side property line of the nearest neighbor. Addition C. would be located on the northeast end of the building and does not have an abutting neighbor.

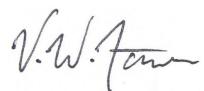
The proposed lot occupancy will not exceed 50% per table D5201.3.

The addition, together with the original building, as viewed from the street, shall not visually intrude upon the character, scale, and pattern of houses along the subject street frontage. The square contains large houses with similar types of architectural forms. The addition does not create a sense that the subject house is more squeezed between neighbors given that there are no neighbors adjacent to the addition locations.

This application seeks relief for neither use nor height.

The owner/agent will be reviewing the plans with the neighbor to the southwest and we will submit letters of "no objection" as we receive them.

Thank you.

A handwritten signature in black ink, appearing to read "V.W. Fowlkes".

VW Fowlkes, AIA
Agent to Applicant
(202) 758-5518