

**Burden Of Proof
Special Exception Application**

**To: Board Of Zoning Adjustment (BZA)
441 4th Street, NW, Suite 200S, Washington, DC 20001**

**From: Desiree and Gregory Wright
Owner/Applicants
2610 Monroe St., NE, Washington, DC 20018
(202) 253-6679**

Date: June 14, 2024

Re: BZA Application for left side yard relief at 2610 Monroe St., NE, Washington, DC 20018 (Square 4312, Lot 0008)

- I. This statement is submitted by Desiree and Gregory Wright (the “Applicant”), the owners of Square 4312 and Lot 0008, which has a street address of 2610 Monroe Street, NE, Washington, DC 20018 (the “Property”) in support of a request for special exception pursuant relief under section **Subtitle E § 5201.4**, to be grandfathered and approval the original non-conforming structure of the left side yard of three-point-nine feet (3.9ft), that should be five feet (5.0 ft); an addition – raised the roof of the attic to the one principal dwelling building.

According to Subtitle E § 5201.3(e) - The Board of Zoning Adjustment may approve lot occupancy of all new and existing structures on the lot up to a maximum of seventy percent (70%). Our property is in R-1B zone, and the relief is for the left side-yard.

- a. The light and air available to neighboring properties shall not be unduly affected, due to, this is the left side yard wall, which is side-to-side of the neighbor’s house, and facing the neighbor’s large high-length fence.
- b. The privacy of use and enjoyment of neighboring properties shall not be unduly compromised; the neighbor’s house expands further in the back yard than our dwelling property. Also, the neighbor has a high fence that is facing our left-side wall of the property.
- c. The proposed addition or accessory structure, together with the original building, or the new principal 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 street or alley frontage.
- d. In demonstrating compliance with paragraphs (I), (II), (III), and (IV) of this subsection, the graphical representations such as plans, photographs, or elevation and

section drawings sufficient is represented. In relationship of the proposed addition, original building, or accessory structure to adjacent buildings and views from public ways.

- II. The original non-conforming left side yard of 3.9ft structure of the house, does not meet the minimum of five feet (5 ft) **Subtitle E § 208.7**, and an extension for addition may be to the roof of the building; provided that there was no additional added to the width of the existing side yard/s of the house/building, and shall not be reduced or eliminated.
- III. Requesting the Board Of Zoning Adjustment Authorized is under Chapter 8 of the Zoning Act D.C. Official Code **Chapter 6 - 641.07(g) (2)**, and **Subtitle X § 901.2**, to grant a special exception in harmony with the general purpose and intent of the Zone Plan and will not tend to adversely affect the use of neighboring, property, subject in each case to the special conditions specified. Relief granted through a special exception is presumed appropriate, reasonable, and compatible with other uses in the same zoning classification, provided the specific regulatory requirements for the requested relief are met.
 - a. Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, our dwelling property is one of the smaller homes in our community; the left side-yard is three-point-nine feet (3.9 ft), one-point-one foot (1.1 ft) from requirement of Zoning.
 - b. Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; due to, the left side wall is three-nine feet (3.9 ft), one-point-one foot (1.1 ft larger) than Zoning requirement of five feet (5 ft). The neighbor's house expands further in the back yard than our property. Also, the neighbor has a high fence that is facing our left-side wall of the property.
- IV. Based on the aforementioned explanation, the Applicants respectfully request special exception relief pursuant to Subtitle E § 608.1 to construct an accessory structure (carriage house) left side yard setback does not comply with the minimum required occupancy requirements pursuant to Subtitle E § 304.1 (X – 901.2) and pursuant to E-5007.1. The Applicants look forward to speaking with the BZA and community members at an upcoming BZA public hearing to further discuss the details of the property, provide additional explanation for relief requests, answer questions, and address concerns.

Please do not hesitate to contact me if you have any questions and/or comments!

Desiree Wright

Sincerely,

Desiree Wright, owner of dwelling property