

## **BURDEN OF PROOF (Zoning variance request)**

3220 Brothers Place

### **Project Description:**

Complete interior renovation and remodel of single family detached residence. Renovation includes a 9'-3" net addition at the rear of the residence. This addition increased the area of the house from 908 sqft to 1,102 sqft.

The property is zoned R-2

The allowed Maximum Lot Occupancy is 40% (Sub D 210.1)

The Lot area is 2,625 sqft so the allowed building footprint (2625x.4) is 1,050.

{Lot area times 40%+2% or 42% [2625 X .42] =1,102}

Proposed building footprint sqftg.: Exist. Width X Proposed length [21'-5" X 51'6"] = 1,102  
For which an administrative variance has been granted.

The sideyard setback per Sub D 208.7 is 8'-0"

This existing residence side yard setback is 5'-0" The sides of the addition are in line with the existing structure. It is not wider and maintains the existing side yard. Reducing the sides of the addition by 3'-0" for a total of 6'-0" (15'-5") would have made the addition impractical. The addition does not in anyway change the character of the structure or adversely affect the neighboring residences.

The scope also includes a parking space in the rear accessed from the alley.

This renovation is vital to the owners Mr. and Mrs. Hayman to repair the overall structural integrity of the home and provide adequate living space for their family.

### **Reason zoning relief is required.**

The owner has been notified by Kathleen Beeton, Zoning Administrator that:

1. Per zoning code section D-208.7, D-5201.1 (b), and X-901.1 the proposed addition does not meet the minimum required side yard.
2. Per zoning code section D-210.1, D-5201.1 (a), and X-901.1 the proposed addition exceeds the maximum lot occupancy.

Therefore Board of Zoning adjustment approval is required to allow the addition to be built.

This project meets the special exemption criteria X-901.2

*(a) The light and air available to neighboring properties shall not be unduly affected;*

**Air flow and light proliferation will not be substantially affected. The adjacent properties will share very similar features, façade plane, and elevation height. The property located to the north appears that it's rear elevation would be even further back than what we are proposing.**

*(b) The privacy of neighboring properties shall not be unduly compromised;*

**The proposed minor extension will not encroach, expose, or otherwise create unusual or increase physical or visual access to adjacent properties. Adjacent properties will maintain their ability to screen interior visibility and overall access to their property.**

*(c) The level of noise in the neighborhood shall not be unduly increased;*

**The additional extension of the residence will not produce any additional noise nor amplify any ordinary noise in the neighborhood. The exterior façade material is uniform with neighboring and adjacent properties.**

*(d) The use and enjoyment of neighboring properties shall not be unduly compromised;*

**As this extension remains well within the border and property lines of the subject lot it will not affect or compromise the use and enjoyment of neighboring properties.**

*(e) No trees which would otherwise be protected by this title or other District of Columbia regulation, shall be damaged or removed; and*

**This extension is not close to nor will does it entail or require the removal of any trees.**

*(f) The general scale and pattern of buildings on the subject street frontage and the neighborhood shall be maintained consistent with the development standards of this title.*

**The proposed additional extension will occur at the rear of the property only and will not be visible or affect the street frontage thus maintaining consistent scale and patter of neighboring buildings.**