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Burden of Proof

I. Introduction and Nature of Relief

This statement is submitted on behalf of Alexandra Shandell and Elliott Becker (“the applicant”), the Owners of 1010 Sigsbee Place NE (“the property”). The property is zoned R-2. The improvements on the property consist of a two story with basement, single family detached dwelling (“the building”). The applicant proposes to construct a rear one-story addition and deck to accommodate an expanded kitchen footprint. Accordingly, the applicant requests special exception approval for the modification pursuant to Subtitle D 207.1.

II. Background

- a. This property has a lot area of 4600 SF. Abutting the property are two lots with detached two story plus basement homes of a similar size. The property is located on Sigsbee Place NE and is located ½ a block from 10th Street NE and a ½ a block from 12th Street NE.
- b. The existing rear addition is uninsulated, chronically leaking, and is functionally not usable due to the configuration of the doors and lower floor height. The existing rear addition has one window and an exterior door on the north side and one window on the east side.
- c. The applicant proposes to add a rear one-story addition and deck. The proposed rear addition would increase lot occupancy from 27.5% (1,266 SF) to 28.8% (1,326 SF). The allowable lot occupancy for this lot is 40%. The house has an existing rear addition with an existing rear setback of 16’-7.5”. The application proposes to have a rear yard setback of 12’-3” for the proposed addition and deck. The proposed addition will extend this non-conformity by an additional 2.2 feet. There are no other changes proposed to the building and the requested addition conforms to the development standards, apart from relief from Subtitle D, section 207.1.
- d. Impact to neighboring properties: 1008 Sigsbee Place, NE (Neighbor to the West): The existing west side yard at the main structure is not being encroached by the new 1-story addition. In addition, there is an existing garage on the subject property to the west of the proposed 1-story addition that blocks view of the existing or proposed addition from this neighbor. The proposed addition is set back from the property line by a distance of 32’-9” feet. A door and window will be added on the west side, but these will be obscured by the existing garage from the perspective of neighbors to the west such that privacy will not be negatively impacted. 1012 Sigsbee Place, NE (Neighbor to the East): The existing east side yard at the main structure is not being encroached by the new 1-

story addition. On the east side, the proposed addition is set back from the property line by a distance of 35'-5" feet. The existing window on the east side of the rear addition will be replaced by a slightly larger window to allow additional sunlight. Movement of the door and addition of a small deck to the west side of the addition will serve to reduce foot traffic visible to the neighbor to the east.

III. The Application Meets the Requirements for Special Exception Relief

- a. Pursuant to subtitle X Chapter 901.2 of the Zoning Regulations, the Board is authorized to grant special exception relief where, in the judgement of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and will not tend to affect adversely the use of the neighboring property.
- b. The board may grant relief from the requirements of subtitle D 207.1 as a special exception pursuant to Subtitle X, Chapter 9, and subject to the following conditions; The proposed construction 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; and
 - 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 street or alley frontage.
- c. The granting of the special exception would be in harmony with the general purpose of the zoning regulations. The proposed rear addition will not have a substantially adverse effect on the adjacent properties and the light and air will not be unduly affected nor will the privacy of the neighbors be impacted. The proposed modification will not be visible from the street.

IV. Conclusion

Granting this special exception request will enable the Owners to remove an unsightly, existing rear addition and enlarge their kitchen to allow for the Owners to positively improve their home. The existing kitchen, dating to 1921, is smaller than modern standards and creates hazards due to the narrow space within its galley. The applicants' family has grown since purchasing their home, and the applicants wish to be able to expand their space to more safely and practically use their kitchen. The applicants hope to remain in their home indefinitely with this expansion.

The proposed rear addition will be visible from the public alley and the materials of the addition have been selected to match the existing home in material and color palette. The proposed addition will be designed to be contextual with respect to the surrounding neighborhood in terms of character, scale, proportion and pattern. The proposed addition will improve the character of the home and thus the surrounding area, by removing and replacing the existing unsightly rear porch with a new addition that is within the same scale and character of the neighborhood.

The Owners have engaged with neighbors early in the design process and those neighbors have provided letters of support which will be part of the exhibits. We plan to engage with the ANC once a BZA case number has been assigned and will plan to get feedback on the application during the next agenda.

For the reasons stated above, this application meets the requirements for the special exception approval by the Board, and the applicant respectfully requests that the Board grant the requested relief. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Devon Brophy', written over a horizontal line.

Devon Brophy
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