

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Applicant's Statement of Nga and Zene Howard
5010 V Street, NW (Square 1388, Lot 104)

I. INTRODUCTION.

This Statement is submitted on behalf of Nga and Zene Howard (collectively, the “**Applicant**”), owners of the property located at 5010 V Street, NW (Square 1388, Lot 104) (the “**Property**”). The Property is located in the R-1B zone and is improved with a two-story single-family row dwelling (the “**Building**”).

Due to the unique configuration of the Building on the lot, the area considered to be the Building’s front yard is technically the rear yard for zoning purposes. Likewise, the Building’s rear yard is technically the front yard for zoning purposes. The Applicant proposes to construct a two-story addition to what is technically the rear of the Building (the “**Addition**”). However, under zoning regulations, this Addition is classified as a front yard addition. The proposed Addition will align with the front walls of one of the two adjoining buildings, thereby complying with front yard setback requirements.

Regarding the requested relief, the Building is a row dwelling, which is a nonconforming structure in the R-1B zone. Accordingly, the Applicant is requesting special exception relief from the side yard requirements of D-208.7. The Addition will increase the lot occupancy by more than ten percent (10%), which triggers the pervious surface requirement, which this proposal does not meet. Accordingly, the Applicant is also requesting special exception relief from the pervious surface requirements of D-211.1.

II. JURISDICTION OF THE BOARD.

The Board has jurisdiction to grant the special exception relief requested pursuant to X-901 and D-5201.

III. WITNESSES

The Applicant anticipates that Martin Sullivan from Sullivan & Barros will lead the presentation and that Mr. Peter Ibe from the architecture team will be available for questions.

IV. BACKGROUND.

A. Description of the Subject Property and Surrounding Area.

The Property is located in the R-1B zone district. It is an interior lot measuring 1,874 square feet in land area. Abutting the Property to the north is 5012 V Street, NW, which is improved with a single-family row dwelling. Abutting the Property to the east is 4862 MacArthur Boulevard, NW, which is improved with an apartment building. Abutting the Property to the west is V Street. Abutting the Property to the south is 5008 V Street, NW, which is improved with a single-family row dwelling. The area is characterized by row dwellings, detached dwellings, apartments, and The River School.

V. THE APPLICATION MEETS THE REQUIREMENTS FOR SPECIAL EXCEPTION RELIEF.

A. Overview.

Pursuant to Subtitle X-901.2 of the Zoning Regulations, the Board is authorized to grant special exception relief where, in the judgment 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 neighboring property, subject also, in this case, to the specific requirements for relief under D-5201 of the Zoning Regulations.

B. General Special Exception Requirements of Subtitle X § 901.2.

1. Granting of the Special Exception will be in Harmony with the General Purpose and Intent of the Zoning Regulations and Zoning Maps.

The granting of the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. The subject Property is located in the R-1B zone; the purpose of the R-1B zone is “stabilize the residential areas and promote a suitable environment for family life.” The Addition is in line with this purpose. The Applicant is only subject to the previous surface requirements because the Addition increases the lot occupancy by more than 10%. Accordingly, the proposed Addition will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.

2. The granting of the special exception will not tend to affect adversely, the Use of Neighboring Property in accordance with the Zoning Regulations and Zoning Maps.

The granting of the special exception will also not tend to adversely affect the use of neighboring properties, as described below.

C. Specific Special Exception Requirements of Subtitle D § 5201.

5201.4: An application for special exception relief under this section shall demonstrate that the proposed addition, new principal building, or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, specifically:

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

The Addition will line up with the front wall of the building at 5008 V Street, NW. The existing building at 5012 V Street, NW, will still extend several feet past the Addition. Accordingly, the Addition shall not unduly affect the light and air available to neighboring properties.

(b)The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;

There are no north or south facing windows proposed. Accordingly, the Addition shall not unduly affect the privacy of use and enjoyment of neighboring properties.

(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;

The Addition is in line with the properties along V Street. Accordingly, the proposal shall not substantially visually intrude upon the character, scale, and pattern of houses along V Street.

VI. CONCLUSION.

For the reasons stated above, this application meets the requirements for special exception relief by the Board, and the Applicant respectfully requests that the Board grant the requested relief.

Respectfully submitted,

Martin P Sullivan

Martin P. Sullivan, Esq.
Sullivan & Barros, LLP