

MEMO

Date: 11.25.24

To: Board of Zoning Adjustment
441 4th Street, NW
Suite 200-S
Washington, DC 20001

Project: Hughes Garage
1227 Independence Avenue, SE
Washington, DC 20003

Re: Burden of Proof –Special Exception Application

Sender: Bill Putnam, RA, NCARB

To Whom It May Concern,

David Hughes, owner of 1227 Independence Avenue, SE (Sq 1015 Lot 0140), hereby applies for a special exception pursuant to Subtitle E, Chapter 2, to build a 2-story garage in the rear yard. The following aspects fall outside the current zoning regulation:

Special exception relief is requested from Subtitle E §210.1 for lot occupancy.

Summary

1227 Independence Avenue, SE, is an attached house in the RF-1 zone. The house sits on a non-conforming lot (1,700 SF), typical of the lots on the 1200 block of Independence Avenue, SE. The proposed scope of work is to construct a 2-story garage in the rear yard. The existing rear yard is empty save for a detached shed and wood privacy fence. The proposed work will align with both north and south walls of the 1-story garage at adjacent 1225 Independence Avenue, SE.

The existing lot occupancy is 57%. The proposed work, along with the removal of a 1-story screen porch at the rear of the house, will result in a lot occupancy of 68.7%.

The proposed garage has been approved by the Historic Preservation Review Board and has support from ANC 6B and many surrounding neighbors.

Qualification of Lot Occupancy Special Exception

This special exception qualifies under ZR-16 Subtitle X, Chapter 901.2, because the proposed garage will be in harmony with the general purpose of the Zoning Regulations, will not adversely affect neighboring properties, and ...

Subtitle X, 901.2

The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:

(a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;

The proposed garage will be compatible with the general purpose and intent of the Zoning Regulations and Zoning maps. The three lots to the west (1221-1223 Independence Avenue, SE) each have a one-story garage of a similar, if not exact, size as the one proposed here. In addition, there are similarly sized one-story garages on the south side of the alley. The proposed garage will not deviate in size or use from those already present and from what is allowed by right by the Zoning Regulations and the Zoning Map.

(b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and

While increasing the lot occupancy to 68.7%, the proposed garage matches the lot occupancy of adjacent neighbors to the west with similarly sized garages. It shall not adversely affect adjacent properties in any worse way than those existing garages presently do, despite being two stories to their one story.

E-5201.4(a) The light and air available to neighboring properties shall not be unduly affected.

As a two-story garage, the proposed work will cast shadows on its adjacent neighbors rear yards in a similar way that the dog legs of these houses also cast shadows. The light and air of neighboring properties will not be adversely affected by these shadows though and will not impact their use.

E-5201.4(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised.

The privacy of use and enjoyment of the neighboring properties will not be compromised because of the proposed work. The views from the second floor of the garage into neighboring properties will be the same as views from the second floor of

the primary houses on the lot. There shall be no change to the privacy and use of neighboring properties.

E-5201.4(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; and

The proposed scope of work will improve the visual character of the alley. At two stories tall, this garage will differentiate itself from the massing of other garages in the alley, but the use of similar materials (brick, painted wood, divided light windows) will allow for it to blend with its surroundings. The Office of Planning approved the project at their October 2024 meeting.

(c) Will meet such special conditions as may be specified in this title.

E-5201.4(d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition, new building, or accessory structure to adjacent buildings and views from public ways.

Refer to exhibits as part of this application for photographs and drawings.

Enclosed with this application are photographs, drawings of the proposed work, including a site plan depicting its relationship to adjacent properties, and a plat from the DC Office of the Surveyor. If you should need further clarification or have any questions, please do not hesitate to contact us.

Best regards,



Bill Putnam, RA, NCARB
Agent