

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Applicant's Statement of Ian Packman and Ellen Carlson
2728 O Street, NW (Square 1239, Lot 854).

I. INTRODUCTION AND NATURE OF RELIEF SOUGHT.

This Statement is submitted on behalf of Ian Packman and Ellen Carlson (collectively known as the “**Applicant**”), owners of the property located at 2728 O Street, NW (Square 1239, Lot 854 (the “**Property**”), located in the R-3/GT zone. The Property is improved with a two-story single-family row dwelling (the “**Principal Building**”). The Applicant proposes constructing a rear addition consisting of expanding and enclosing the existing first-floor sunroom and a second-story rear addition (the “**Addition**”). The proposal is essentially a rear infill addition, so the entire rear wall of the Property will align with the adjacent property's rear wall to the east. The 3-story building adjacent to the west extends about a foot beyond the Addition. The Addition will increase the total lot occupancy to 68.3%, where 60% is allowed. Accordingly, the Applicant is requesting special exception relief from the lot occupancy requirements of D-210.1. The Applicant is also requesting relief from the rear yard requirements of D-207.1 as the existing – and proposed - rear yard is 9.3 feet.

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, LLP will lead the presentation and that someone from the architecture team will be available for questions.

IV. BACKGROUND.

A. Description of the Property and Surrounding Area.

The Property is an interior lot measuring 771 square feet in land area. Abutting the Property to the north is O Street. Abutting the Property to the south is 1359 28th Street, NW, which consists of a semi-detached single-family dwelling. Abutting the Property to the east is 2726 O Street, NW, which consists of a single-family row dwelling. Abutting the Property to the west is 1363 28th Street, NW, which consists of a single-family row dwelling. The area is primarily made up of single-family dwellings.

B. Proposed Project.

The Applicant proposes to construct a rear addition which consists of expanding and enclosing the existing first-floor sunroom and a second-story rear addition. The existing improvements on the lot already occupy 64.6% % of the lot and Addition will increase the lot coverage to 68.3%. The expansion will fill the existing open court, requiring rear yard relief. The proposal, apart from the requested lot occupancy and rear yard relief, meets all requirements of the R-3/GT zone.

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 Subtitle D-5201 of the Zoning Regulations.

In reviewing applications for a special exception under the Zoning Regulations, the Board's discretion is limited to determining whether the proposed exception satisfies the relevant zoning requirements. If the prerequisites are satisfied, the Board ordinarily must grant the application. See, e.g., *Nat'l Cathedral Neighborhood Ass'n. v. D.C. Board of Zoning Adjustment*, 753 A.2d 984, 986 (D.C. 2000).

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 Property is located in the R-3/GT zone, which is "intended to permit attached row houses on small lots" and "limit permitted ground coverage of new and expanded buildings and other construction to encourage a general compatibility between the siting of new or expanded buildings and the existing neighborhood." The Property will remain a single-family row dwelling, and the proposed Addition is effectively a rear infill addition, aligning the rear wall with that of the adjacent property to the east. Lot

occupancy relief is available up to 70%, as requested. Accordingly, the proposed Project 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 more fully 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 neighboring property to the east and will be just shy of the rear wall to the west. The additional 28 square feet is negligible, and within the existing rear building line of both the subject property and the adjacent properties, and therefore the relief will 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;

The requested relief shall not unduly compromise the privacy of use and enjoyment of neighboring properties. The Addition will be in line with the rear wall of the property to the east and just shy of the rear wall of the property to the west, maintaining the privacy of neighboring properties. There is also no material change, as the space currently holds a sunroom with windows.

(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 should not be visible from O Street or any alley, and slightly visible from 28th Street. Further, as demonstrated by the renderings, the Addition will make the Property more cohesive with the neighboring properties. Accordingly, the Addition shall not substantially visually intrude upon the character, scale, and pattern of the houses along O 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
Sullivan & Barros, LLP
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