

BURDEN OF PROOF STATEMENT

Property Address: 903 R Street NW, Unit 2

Square/Lot: 0363 / 2010

I. INTRODUCTION

This statement is submitted on behalf of the applicant in support of a request for a special exception pursuant to Subtitle E §§ 210.1, 5201.1(a), and Subtitle X § 901.2 to allow the installation of a rear deck and spiral stairs at 903 R Street NW, Unit 2. The requested relief is required due to a modest increase in lot occupancy and building area beyond by-right allowances. Specifically, the proposal requests:

- A 3% increase in lot occupancy beyond the 60% maximum permitted under by-right development, resulting in a total lot occupancy of 63%.
- A building area increase of less than 2% beyond by-right development.

The project is designed to enhance the livability and functionality of the property while preserving the residential character of the RF-1 zone and ensuring no adverse impact on neighboring properties or the surrounding community. The proposed deck and staircase will provide improved access and outdoor living space for the residents while maintaining consistency with similar structures in the area.

II. COMPLIANCE WITH SPECIAL EXCEPTION STANDARDS (SUBTITLE X § 901.2)

Subtitle X § 901.2 outlines the general standards for special exceptions. The requested relief satisfies each of these standards:

(a) The special exception is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.

The proposed project is consistent with the purpose of the RF-1 zoning district, which is intended to support moderate-density residential use while preserving neighborhood character. The deck and spiral staircase represent a modest extension to an existing residential property without altering its fundamental use or function.

Key factors demonstrating harmony with zoning intent include:

- The addition maintains residential use without introducing commercial or non-residential activities.
- The scale and design align with neighborhood architectural patterns.
- The project does not exceed the height restrictions or introduce substantial massing that conflicts with adjacent properties.

(b) The special exception will not tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Zoning Map.

The proposed deck and spiral staircase have been designed to minimize impacts on neighboring properties, ensuring no undue adverse effects on light, air, privacy, or neighborhood character:

- Light and Air: The open design of the deck and staircase prevents any substantial obstruction of natural light and airflow to adjacent properties.
- Privacy: The modest scale of the addition ensures that neighboring properties' privacy is not compromised.
- Noise Impact: As an outdoor feature primarily used for residential enjoyment, the deck does not introduce any elements that would disrupt the peaceful residential character of the area.

(c) The special exception meets any special conditions specified in the zoning regulations.

As detailed below, the proposal complies with the specific conditions outlined in Subtitle E § 5201.4.

III. COMPLIANCE WITH SUBTITLE E § 5201.4

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

The proposed rear deck and spiral staircase are designed in a way that does not substantially increase bulk or obstruct light and air for neighboring properties. Specific considerations include:

- The open nature of the deck and stairs minimizes obstruction to sunlight penetration and air movement.
- The modest scale of the proposed additions ensures they do not cast significant shadows on adjacent properties.

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

The placement of the deck and staircase has been carefully considered to ensure minimal intrusion on neighboring properties' privacy:

- The structure is positioned to avoid direct lines of sight into neighboring homes.
- The applicant is willing to consider privacy screens or additional landscaping measures if necessary to further mitigate visibility.

(c) The addition or accessory structure, together with the original 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 subject street frontage.

The project has been thoughtfully designed to integrate seamlessly with the existing architectural style and scale of the neighborhood:

- The materials and design complement the existing residential character of the RF-1 district.
- The deck and stairs are located at the rear of the property, making them minimally visible from the street.

- The structure is in line with similar approvals granted in the area, ensuring consistency in the neighborhood's visual aesthetic.

(d) In demonstrating compliance with paragraphs (a), (b), and (c) of this subsection, the applicant shall provide graphical representations such as plans, photographs, or elevation drawings.

The applicant has submitted detailed architectural plans and elevation drawings that illustrate the scope, scale, and positioning of the proposed deck and spiral staircase. These materials provide clear visual evidence that the proposal meets the criteria outlined in Subtitle E § 5201.4.

IV. JUSTIFICATION FOR RELIEF

Minimal Increase in Lot Occupancy & Building Area

The requested increase in lot occupancy from 60% to 63% and minor building area expansion are negligible deviations that do not overwhelm the property. The small increase is necessary to accommodate the deck and staircase without compromising zoning intent.

Alignment with Zoning Intent

The modifications align with the RF-1 district's purpose by maintaining a moderate-density residential character while enhancing property usability.

Precedent for Similar Approvals

Multiple properties in the same ANC jurisdiction have received special exception relief for rear decks, additions, and similar structures. The proposed project falls well within the scope of what has been previously deemed acceptable.

V. COMMUNITY OUTREACH & SUPPORT

The applicant is committed to engaging with the community to ensure transparency and address concerns:

- ANC Presentation: The project will be presented to the Advisory Neighborhood Commission (ANC) for input and feedback.
 - Neighbor Engagement: Initial outreach has indicated no objections from adjacent property owners.
 - Open to Adjustments: The applicant is willing to work with the ANC and neighbors to address concerns regarding privacy, screening, or other factors.
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VI. CONCLUSION

The requested special exception relief satisfies all applicable criteria under Subtitle X § 901.2 and Subtitle E § 5201.4. Specifically:

- The project is in harmony with zoning regulations and RF-1 district goals.
- It does not adversely impact neighboring properties in terms of light, air, privacy, or aesthetics.
- It maintains architectural integrity while enhancing property functionality.
- The request is modest in scope and aligns with similar approvals in the area.

Given the limited nature of the proposed modifications, the applicant respectfully requests the Board's approval of this application.