

BURDEN OF PROOF

Owner: Donald and Kathleen Fulp
Address: 3032 24th St NE, Washington, DC 20018
Square/Lot: 4250/28
Zoning District: R-1-B

TO:
D.C. Board of Zoning Adjustment
441 4th St NW Suite 200S
Washington, DC 20001

BURDEN OF PROOF STATEMENT

Special Exception Application

I. Nature of Application

This is an application by Donald Fulp ("Applicant") for special exception relief from the requirements of Zoning Regulations to permit the renovation of a required garage into a garage with an accessory dwelling unit on the second level of the. The new garage will change the footprint of the existing garage slightly. The application request special exception relief pursuant to 11 DCMR Subtitle X, §901.2 (a)(b). The new structure will conform to the zoning regulations in all other 3ways.

II. Jurisdiction of the Board

The Board has jurisdiction to grant the relief requested pursuant to Subtitle X, §901.2 to §204.1 of the Zoning Regulations and subject to 11 U DCMR §253.3 "*An accessory apartment proposed in an accessory building, not meeting the conditions of 11 DCMR 253.8 shall be permitted as a special exception if approved by the Board of Zoning Adjustment, subject to the provisions of this section.*

III. Information Regarding the Property and Project

a. The Project

The subject property is located at 3032 24th St NE in an R-1B zone. It is a rectangular shaped lot measuring 5,166 sq ft. in land area. Adjacent to the East and West Side of the property are single family homes on thorough lots (running from 24th St to Thayer Street). On the rear of the subject lot is a garage which will be rebuilt as a garage with an Accessory Dwelling Unit above.

The applicant proposes to demolish the current required car garage structure and construct a new garage with an accessory apartment above the garage. The new garage at 21 feet in height will be in compliance the R-1B zone height requirement; as it will be less than the required max height of 22 feet for an accessory building. The garage space will be on grade.

An existing curb cuts will remain. The design of the building will be a 2-story wood framed

structure, sheathed with neutral tone metal panels. Blown high density foam insulation will provide energy efficient R-value for the interior of the dwelling unit.

The design will naturally blend with the surrounding 2 story single family homes along Thayer Street NE and will be a visually aesthetic improvement to the dilapidated garage currently on site. The accessory dwelling unit will be a 399 square foot studio apartment with a Juliette balcony and modern amenities.

b. Description of the Surrounding Area

3032 24th Street is located on a through lot. The property is surrounded by single family detached dwellings on both 24th Street and Thayer Street. The garage currently fronts and will continue to front Thayer Street NE. It is and has been the only garage on the North side of Thayer St, except for an unused garage on the property at Thayer and Woodridge Street. The single-family dwellings on the south side of Thayer Street each have off street parking as required by zoning. One- and one-half blocks to the west of the garage is Rhode Island Avenue which is a major rush hour thoroughfare for NE DC and Maryland bus and automobile commuters. Rhode Island Avenue is serviced by multiple transit lines including express buses to the Metro Red line Rhode Island Avenue Station and to the business and Transit hub in New Carrollton Maryland. Within the one and a half block distance to Rhode Island Avenue are multiple food shops, a Post Office, Pizza and sandwich shop (Manny and Olga's), variety Store (Family Dollar), Restaurants: "Provost", "His and Hers" a gourmet Coffee Shop ("Zeke's Coffee") and other assorted offices, retail and service establishments; all walkable from the ADU.

IV. Description of Relief Requested

The applicant requests a special exception pursuant to:

1. 11-DCMR Subtitle D. §210.1 *Lot Occupancy Allowed 40%.*

(*Current lot Occupancy is 42.5%. Lot Occupancy nonconformity will not increase and will remain at 42.5%.*)

Pursuant to 11 DCMR Subtitle X chapter 9 the applicant is seeking a special exception from: 40% Allowed Lot Occupancy requirement of D §210.1. The Board of Zoning Adjustments may grant relief from the requirements of subtitle D §210.1 as a special exception pursuant to Subtitle X, chapter 9 and subject to the following conditions:

- a) *Will be in harmony with the general purpose and intent of the zoning regulations and zoning Maps:*

Response: The proposed renovation shall not have a substantial adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property in particular :specifically: the light and air available to the neighboring properties will not be affected.

- b) *Will not tend to affect adversely, the use of neighboring properties in accordance with the Zoning Regulations and zoning maps;*

Response: The adjacent properties to East and West are separated by physical barriers. To the West is a 6 foot high concrete wall topped by 5 foot wooden fence. To the East is the flat rear yard which terminates at the property line and faces a 25 foot growth of tightly plants evergreen trees on the neighbor's western property line (abutting subject lot).

c) *and; Will meet special conditions as may be specified in this title;*

Response Applicant is willing to entertain any reasonable condition specified pursuant to Subtitle X Chapter §901.1, §901.2 §901.3, §901.4 and §901.5.

V. Applicant Meets Burden of Special Exception Relief

The redevelopment of the garage into a garage with an Accessory Dwelling Unit above is consistent with the general intent of the R-1B zoning statutes in single family residential areas. The project proposes a modest increase of one accessory dwelling unit as allowed per zoning statutes. With respect to the alterations the project will remove a structurally comprised garage and replace it with an architecturally pleasing new garage structure with a dwelling unit above that will blend with and maintain the character and ambiance of the neighborhood.

VI. Conclusion

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

Respectfully Submitted
Donald Fulp

Owner Signature:

Donald Fulp

7/6/2025

Donald Fulp

Date