

Applicant's Statement in Support of a Special Exception

2219 Observatory Place NW

To: The Office of Zoning

Government of the District of Columbia

Suite 210 South

441 4th Street, NW Washington DC 20001

From: Paul A. Wilson, AIA, agent, on behalf of Applicants Brynn and Robert Kurtzman, 2219 Observatory Place NW Washington, DC 20007

Date: February 20, 2025

Subject: BZA Special Exception Application and Request for Expedited Review, Kurtzman Addition

2219 Observatory Place NW (Square 1301, Lot 0947)

Brynn and Robert Kurtzman, owners and occupants of 2219 Observatory Place NW, hereby apply for a special exception, consistent with Subtitle D, § 207.5, pursuant to 11 DCMR Subtitle X, Chapter 9, and subject to Subtitle D, § 5201 to build a two-story plus basement rear addition on an existing single-family row dwelling (the "Property") in the R-3 zone.

The zoning relief requested is as follows:

Application of Brynn and Robert Kurtzman, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle D, § 5201 from the rear wall extension limitations set forth in Subtitle D, § 207.4, to construct a two-story plus basement rear addition and rear deck on an existing attached single-family dwelling in the R-3 Zone at premises 2219 Observatory Place NW (Square 1301, Lot 0947).

1. Summary

The application qualifies for special exception relief under Subtitle D, § 5201 and Subtitle X, Chapter 9, because the lot occupancy will not exceed 60% in accordance with § 210.1, the rear yard will be at least 20 feet in accordance with Subtitle D, § 207.1. The addition will not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps.

The proposed addition will expand the basement, first floor, and second floor levels. The addition and the deck will increase the lot occupancy from 688.1 sf (or 45.8%) to 855 sf (or 56.9%.) The addition extends the rear wall 12.5 feet beyond existing conditions, which will be 12.5 feet past the rear wall of the adjacent residential dwelling at 2217 Observatory Place NW and 11.6 feet past the rear wall of the adjacent residential dwelling at 2221 Observatory Place

NW. The Applicant's proposed addition therefore would exceed the maximum 10-foot matter-of-right extension in relation to both 2217 and 2221 Observatory Place NW.

Applicants seek only an additional 2.5 feet over the 10-foot rule set forth in Subtitle D, § 207.4. Other than the requested relief, the proposal meets all remaining development standards for the R-3 zone.

2. The Application Meets the Requirements for Special Exception

i. General Special Exception Requirements of Subtitle X, Chapter 9

The granting of the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps (Subtitle X, § 901.2(a)) and will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps (Subtitle X, § 901.2(b)). The proposed addition and deck remain within the lot occupancy (60%) and rear yard (20') requirements of the R-3 zone. The addition will not affect the use of the neighboring property because the light, air and privacy available to neighboring properties will not be unduly affected.

In addition, by satisfying the requirements of Subtitle D § 5201, the application also meets the general special exception requirements of Subtitle X, § 901.2. Accordingly, the proposed addition will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.

ii. Specific Special Exception Requirements of Subtitle D-5201

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.

Pursuant to Subtitle D, 5201.4, an applicant for special exception under this section shall demonstrate that the addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent Property or property, in particular:

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

2217 Observatory Place NW

2217 Observatory Place NW lies to the south-southwest of the proposed addition at the Property. The proposed addition will include a two-story rear addition. The proposed rear wall will extend 12.5 feet past the rear wall of 2217 Observatory Place NW. The Property and 2217 Observatory Place NW are oriented roughly east-west.

The Property and 2217 Observatory Place NW abut an alley in the rear.

Because of the depth of the addition (only 2.5 feet over the 10-foot limitation set forth in Subtitle D, § 207.4), the location to the northeast of 2217 Observatory Pl, the light and air

available to 2217 Observatory Place any additional shadow cast by the new addition will be scant and limited to the early hours following sunrise.

2221 Observatory Place NW

2221 Observatory Place NW lies to the north-northeast of the proposed addition at the Property. The proposed rear wall will extend 11.6 feet past the rear wall of 2221 Observatory Place NW, which is within the allowable amount pursuant to Subtitle D, § 207.4.

The Property and 2221 Observatory Place NW abut an alley in the rear.

Because of the depth of the rear wall existing at 2221 Observatory Place NW, the light and air available to 2221 Observatory Place will be minimally impacted. The added impact to light and air will be de minimis compared to a matter-of-right extension.

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

2217 Observatory Place NW

The new rear façade of the addition will have no windows facing 2217 Observatory Place. Therefore, the proposed addition will not unduly compromise the privacy or use and enjoyment of 2217 Observatory Place NW. The proposed deck could be constructed as a matter-of-right.

2221 Observatory Place NW

The new rear façade of the addition will have no windows facing 2221 Observatory Place. Therefore, the proposed addition will not unduly compromise the privacy or use and enjoyment of 2221 Observatory Place NW. The proposed deck could be constructed as a matter-of-right.

(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 rear addition will not be visible from Observatory Pl and will be visible solely from the alley. Additionally, the proposed addition will be constructed with high quality materials and will be appropriate in scale for the existing houses. As for the alley, the addition is in keeping with the character of similar additions on the alley, enclosed former porches, and the like. 2229 Observatory Place has a large three-story rear addition.

Accordingly, the addition will not substantially visually intrude upon the character, scale, and pattern of houses along the subject alley frontage.

(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 or accessory structure to adjacent buildings and views from public ways.

Plans, site plans, elevations, building sections, shadow studies, and photographs have been submitted to the record.

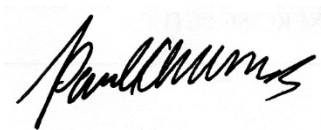
3. Conclusion

Along with this application, we have included the following items:

- a) Photos of the rear of the existing house and its surroundings.
- b) Plans, building sections, and elevation drawings of proposed addition, including a site plan showing the relationship of the proposed addition to adjacent buildings.
- c) Official Plat from the DC Office of the Surveyor.
- d) Shadow studies, which will show the increased shading in excess of a matter-of-right 10' extension, will be submitted to the record at a later date.

In light of the foregoing, the Applicants respectfully request approval of the requested Special Exception relief.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul A. Wilson", is written over a faint, rectangular background stamp.

Paul A. Wilson, AIA , on behalf the Applicants, Brynn and Robert Kurtzman.