

Burden of Proof

Special Exception Application

750 18th Street NE

To: **The Office of Zoning**
Government of the District of Columbia
Suite 210 South
441 4th Street, NW
Washington DC 20001

From: **Jennifer Fowler**
Agent/Applicant
1453 Pennsylvania Avenue SE
2nd Floor
Washington, DC 20003

Date: April 7, 2025

Subject: **BZA Application, Simonovich-Brockschmidt Addition**
750 18th Street NE (Square 4507, Lot 0118)

Chelsey Simonovich and Ben Brockschmidt, owners and occupants of 750 18th Street NE, hereby apply for a special exception pursuant to 11 DCMR Subtitle X, Chapter 9, to build a one-story screened porch on the rear of an existing single family row dwelling in the RF-4 zone. The zoning relief requested is as follows:

Application of Chelsey Simonovich and Ben Brockschmidt, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201 from the rear yard requirements of Subtitle E § 207.1 to build a one-story screened porch on the rear of an existing semi-detached principal dwelling unit in the RF-4 Zone at premises 750 18th Street NE (Square 4507, Lot 0118).

I. Summary:

This special exception qualifies under ZR-16 Subtitle D, Chapter 5201 and Subtitle X, Chapter 9, because the lot occupancy does not exceed 70%, and the addition will not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property.

The proposed porch addition will expand the first floor at the rear. It will increase the lot occupancy from 569.7 SF (39.3%) to 705.7 SF (48.7%).

The proposed porch will extend 9'-6" beyond the existing first floor rear wall. The proposed porch will extend to the property line on both the north and south sides. The addition will be 9'-6" past the existing first floor rear wall of the neighbor to the north.

II. Qualification of Special Exception

5201 Special Exception Review Standards

By satisfying the requirements of E-5201.1, E-5201.4 through E-5201.6, the application also meets the general special exception requirements of X-901.2.

5201.4 An application for special exception relief under this section shall demonstrate that the proposed addition, new 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;

Adverse Effect Adjustment
District of Columbia
CASE NO.21315
EXHIBIT NO.12

752 18th Street NE

752 18th Street NE lies north of the proposed porch at 750 18th Street. The proposed porch will extend to north property line. Because the proposed addition will extend to the property line, the light and air available to 752 18th Street will be impacted somewhat. However, the impact will be limited to the rear yard at 752 18th Street and will have a minimal impact on the existing house at 752 18th Street. Additionally, the impact will be minimal because the proposed porch is only one-story.

Neighbors to the South

Neighbors to the south of 750 18th Street NE are separated from the property by a 16' wide public alley and the neighboring rear yards. Due to the separation between the proposed addition and the neighbors to the south, no shadows will be cast.

Neighbors to the West

Neighbors to the west of 750 18th Street NE are separated from the property by a 16' wide public alley. Additionally, privacy fences and rear yards further separate the proposed porch from the neighbors to the west. The proposed porch at 750 18th Street will be 18'-7.75" from the rear property line. Due to the separation between the proposed addition and the neighbors to the west, no shadows will be cast.

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

752 18th Street NE

752 18th Street NE lies to the north of the proposed porch addition at 750 18th Street NE. The wall along the shared property line will be mostly solid with high screened windows, thus minimizing views into the existing rear yard and house at 752 18th Street. The proposed rear wall will have floor-to-ceiling screens, which will allow some views into the rear yard at 752 18th Street. However, the views will be limited to the rear yard and the existing privacy fence also obstructs views. Therefore, the proposed porch addition at 750 18th Street NE will not compromise the privacy of 752 18th Street NE.

Neighbors to the South

The proposed porch addition is separated from the neighbors to the south by a 16' public alley and the neighboring rear yards. The wall along the property line will be solid, thus preventing any views into the alley or the rear yards to the south. The proposed rear wall will have floor-to-ceiling screens, but the views will be obstructed by the existing privacy fence. Therefore, the proposed porch addition at 750 18th Street NE will not compromise the privacy of the neighbors to the south.

Neighbors to the West

The proposed porch addition is separated from the neighbors to the west by rear yards, privacy fences, and a 16' wide public alley. Therefore, the proposed porch at 750 18th Street NE will not unduly impact the privacy of use and enjoyment of the neighbors to the west.

c.) The proposed addition or accessory structure, together with the original building, or the proposed new 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 and alley frontage; and

The existing square is extremely dense with backyards, privacy fences, and a 10' wide public alley.

The proposed porch addition will be similar in massing to the other houses on the block. The porch will be visible from the public alley and somewhat from 18th Street NE. Additionally, the proposed porch will be constructed with high quality materials and will be appropriate in scale for its surroundings.

(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

Plans, photographs, and elevational drawings have been submitted into the record.

901 Special Exception Review Standards

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 judgement 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;*

As described more fully above, the proposed porch will be in harmony with the intent of the Zoning Regulations due to the fact that the massing, materials, and details will mimic existing structures on the alley.

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

As described more fully above, the proposed porch will minimally impact the light and air or privacy of the neighboring properties.

- c. *Will meet such special conditions as may be specified in this title.*

902 Application Requirements

An application for a special exception shall meet the requirements of Subtitle Y § 300.

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

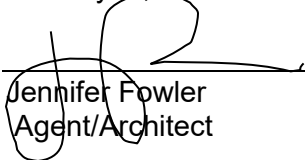
- a) Photos of the existing house and surroundings.

Plan and elevation drawings of proposed addition, including a site plan showing the relationship of the proposed addition to adjacent buildings.

- b) Official Plat from the DC Office of the Surveyor.

If you require any further clarification or have any questions regarding the application, we are available at any time to discuss them with you.

Thank you,



Jennifer Fowler
Agent/Architect