

Burden of Proof

Special Exemption Application

To: Office of Zoning  
Government of the District of Columbia  
Suite 210 South  
441 4<sup>th</sup> St NW  
Washington DC 20001

From: Gregoire Holeyman, RA, LEED AP  
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Washington DC 20002

Date: April 29, 2025

Subject: BZA Application, rear addition in RF-1 Zone  
**424 7<sup>th</sup> Street NE; (Square 0862, Lot 0183)**

Steven and Natalia Graham (the “Applicants”), owners and occupants of the property located at 424 7th Street NE; (Square 0862, Lot 0183) (the “Property”), hereby apply for a special exemption pursuant to 11 DCMR Subtitle X, Chapter 9, to build a two-story plus basement rear addition onto an existing semi-detached single-family residence in the RF-1 zone. The proposed project falls outside the current zoning regulation as follows:

- The minimum rear yard setback of twenty (20) feet of 11 DCMR Subtitle E § 207.1.

**I. Introduction**

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

**A. Description of the Property and Surrounding Area.**

The Property, zoned RF-1, is corner lot located at the intersection of E and 7<sup>th</sup> Streets NE. The subject Property measures 1,766 square feet in land area and is improved with a single-family, two-story plus basement semi-detached dwelling (the “Building”). The existing rear yard measures about sixteen feet and three inches (16'-3”).

To the south of the Property are similar lots, which are improved with single-family dwellings and flats. To the west, the rear of the Property faces an alley, and the sides of similar lots, also improved with single-family dwellings and flats. To the north, the Property faces E Street NE. To the east, the Property faces 7<sup>th</sup> Street NE.

**B. Proposed Project and Requested Relief.**

The Applicants are proposing removing an existing two-story plus basement structure and installing a new two-story plus basement structure, extending further into the rear yard. The new addition will reduce the rear yard to twelve feet and three inches (12'-3") in depth.

The existing neighboring Property to the North (422 7<sup>th</sup> St NE) extends from the main structure to the rear property line and has a rear yard of 0'-0", therefore the proposed rear addition will not extend past the 10' maximum allowed by-right. (Subtitle E § 205.4).

**II. Qualification of Special Exemption**

**5201 Special Exception Review Standards**

By satisfying the requirements of E-5201.3 through E-5201.6, the application also meets the general special exception requirements of X-901.2.

*Per Subtitle E § 5201.3, “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 dwelling or property, in particular:*

- (a) The light and air available to neighboring properties shall not be unduly affected*
- (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*
- (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;”*
- (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*

422 7<sup>th</sup> St NE

422 7<sup>th</sup> St NE lies to the south of the Property. This property contains a two-story plus basement attached single-family dwelling of similar height and width to 424 7th St NE. The property also has an existing one-story masonry garage with roof deck structure that extends from the main house to the rear property line.

Because of the depth of the proposed addition, the light and air available to 422 7<sup>th</sup> St NE will be impacted somewhat from existing conditions. However, the overall impact will not be undue because no new shadows be cast on the property. As well, the proposed addition will not unduly compromise the privacy of use and enjoyment at 422 7<sup>th</sup> St NE.

Neighbors to the West

Neighbors to the west of 424 7<sup>th</sup> St NE are separated from the property by a 15'-0" alley, privacy fences, and rear yards. The proposed rear addition will still create a twelve-foot rear yard, so the increase in depth will not cause additional shadows to be cast into the rear yards of neighbors to the east.

The proposed addition is modest in nature as it will match the height, width and scale of surrounding buildings. The addition will have minimal impact on the light and air available to the

neighbors and will not unduly compromise the privacy of use and enjoyment of these properties. The addition does not substantially intrude upon the character, scale and pattern of houses.

## **902 Application Requirements**

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

Along with this application, the following items have been included into the record:

- a) Photos of the existing house and surroundings.
- b) Plan 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.

If there are any further clarifications needed regarding the application for special exemption, we are available to discuss details.

Respectfully Submitted,



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