

Project Location: 6122 Sligo Mill Road NE Washington DC 20011 (Zone R-2)

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STATEMENT OF REVIEW STANDARDS AND BURDEN OF PROOF

Existing and Intended Use of the Structure:

The proposed project is the construction of an Accessory Dwelling Unit (ADU) on an existing 672 sq ft (24' x 28') building footprint that used to be a garage. The 2-car garage built in 2017 was destroyed by a fallen tree in July 2024. The garage was being used to store inventory for the owner's home business (Home Occupation Permit No. HO1800304 - Maria V Cerdenia/Gift Ko LLC). After the demolition of the damaged garage, we have decided to build a more usable structure on the same building footprint. By adding a second story, the proposed ADU will have room not just for inventory storage but also for a home office, music room, sewing area and room for guests.

Request for Area Variance Relief

Maximum Accessory Building Height

11-DCMR Subtitle D § 5002.1 states that The maximum height of an accessory building in an R zone shall be two (2) stories and twenty-two feet (22 ft.).

11-DCMR Subtitle B § 308.10 states that The building height of accessory buildings shall be measured from (i) the lower of the finished or natural grade at the middle of the side of the accessory building that faces the principal building, or (ii) **the midpoint of the alley lot line if required for vehicular access to the alley**, to the highest point of the roof of the building including parapets, penthouses, and rooftop structures.

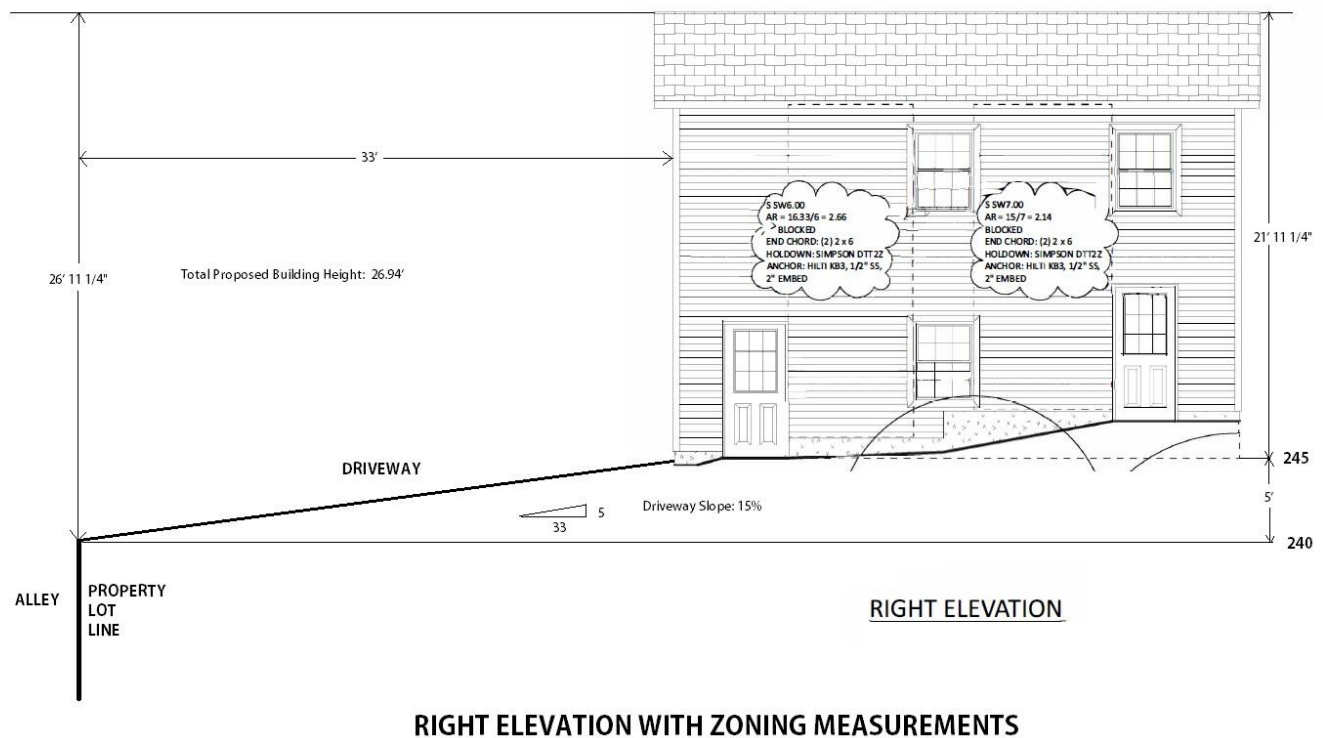


Figure 1 - Right Elevation Drawing with Building Height and Slope Measurements

As seen in Figure 1, the proposed ADU is less than 22 feet in height and a total of 2 stories which are compliant with Zoning Regulations. However, the Accessory Building Height - as determined by 11-DCMR Subtitle B § 308.10 - is 26.94' because the height is measured from the alley lot line. There is a variance of 4.94' from the maximum allowed height.

Subtitle X § 1002.1 states that The standard for granting a variance, as stated in Subtitle X § 1000.1 differs with respect to use and area variances as follows:

1. (a) An applicant for an area variance must prove that, as a result of the attributes of a specific piece of property described in Subtitle X § 1000.1, the strict application of a zoning regulation would result in peculiar and exceptional practical difficulties to the owner of property;

As seen in the photograph in Figure 2, the accessory unit will be built on an existing concrete footprint that previously already had a structure (2-car garage) and an existing driveway.



Figure 2 - Picture of Proposed ADU Site as seen from the Back Gate

To build the ADU on level with the alley lot line, we will have to destroy the driveway and concrete slab, and redo the entire foundation. That will be extremely expensive and impractical as there is nothing wrong with the existing driveway and foundation.

If we are to build the ADU on the existing concrete slab in strict compliance with the maximum height requirement, the building will have to be a maximum height of 17 feet.

The original one-story garage (the one destroyed by the fallen tree) was already 14 feet in height with 10 feet high walls. (see Figure 3). I need high walls for storage because my inventory is in large master boxes that are stacked high.

This is why I designed the new building (ADU) to have a huge open area in the middle so I can still have tall shelving while the walls of the rooms on the first and second floor are 8 feet high. The second floor also has an open loft for more storage.

Building a smaller building because of the maximum height requirement will be detrimental to my home business which needs more storage of inventory for more sales.

As the strict application of the zoning regulation for maximum building height will be extremely expensive and impractical (destruction of the existing driveway and foundation) and detrimental to my business (building of a smaller unit), we respectfully request approval for the Area Variance.



Figure 3 - Garage (May 2024)