

8 August 2025

**BURDEN OF PROOF STATEMENT**

Proposed Rear Addition  
Sullivan Renovation  
617 Massachusetts Avenue, NE

I. Introduction

Theresa Sullivan (the “Applicant”) is the owner of the property and improvements located at 617 Massachusetts Avenue, NE, Square 866, Lot 810. The improvements include an attached single-family dwelling. The dwelling is a two story masonry structure with a small two-story stucco previously-built addition that has a partial cellar.

The Applicant hereby requests a Special Exception to the rear yard requirements of Subtitle E § 207.4 and to the lot coverage requirement of Subtitle E § 210.1.

The Board of Zoning Adjustment is authorized to grant relief from development standards of Subtitle E as a Special Exception as noted in Subtitle E § 5201.1 (a) and (b) and specifically by Subtitle E § 207.5 of the Zoning Regulations.

II. Description of the Property, Existing and Proposed Use, and Proposed Additions

The subject property is located at 617 Massachusetts Avenue, NE in the Capitol Hill Historic District and is in the RF-1 zone. It is situated on the south side of Massachusetts Avenue and is located mid-block between Sixth and Seventh Streets, NE. The lot is located within the ANC 6C district.

The property is rectangular shaped with a small jog on the southeast property line, and is 1,578 sf in area (District of Columbia Tax Record). It is 22.37 feet wide on the front Massachusetts Avenue, NE property line and is 71 feet deep. The lot falls under the minimum lot size of 1,800 sf for the RF-1 zone. The lot is surrounded by other lots. It does have access at the rear of the property to a four-foot wide public alley.

The structure on the lot is a front-to-rear oriented semi-attached residence and is a two-story brick and stucco structure. It is attached to 619 Massachusetts Avenue, NE (Lot 0061) to the northeast and the structure sits three feet from the southwest property line. 611 Massachusetts Avenue, NE (Lot 0049), the neighbor to the west sits on the shared southwest property line. The front face of the residence sits on the front property line with no setback and has an existing bay window located in public space.

The current rear wall of the property is 29.6 feet from the rear property line and is 6.4 feet from the lightwell wall of 619 Massachusetts Avenue, NE. This lightwell wall represents the furthest wall from the rear property line of the neighboring lot. This lightwell wall and existing rear addition create a side yard that is 5'-2" wide. It should be noted that the closest wall to the rear property line at 619 Massachusetts Avenue, NE is a further 16' from the current rear wall of 617 Massachusetts Avenue, NE.

The property is surrounded by other attached and semi-attached dwellings, both two and three story along Massachusetts Avenue, NE and of lot sizes that range from 2,295 sf (Lot 0046) and 621 sf (Lot 0027).

The dwelling currently serves as a single-family dwelling and will continue to do so after the proposed work is completed.

The Applicant seeks to construct a rear two-story addition 9.1' in depth and the full width of the existing residence.

Subtitle E § 207.4 limits any rear addition to ten feet beyond the furthest rear wall of any adjoining principal residential building on an adjoining property. This would impact the ability to create a usable bedroom and kitchen space at the rear of the building. The applicant is seeking relief to extend the rear wall 9.1' into the rear yard which would result in a 15.7' setback from the existing lightwell wall at 619 Massachusetts Avenue, NE. The proposed rear wall would also be roughly at the same plane as the existing addition's rear wall of 619 Massachusetts Avenue, NE. The proposed addition on the subject property will not violate the required 20' rear yard setback laid out in Subtitle E § 207.

Subtitle E § 5201.1 also grants the Board of Zoning Adjustment relief to the lot occupancy development standards up to 70% for all structures on the lot. The existing building has a lot coverage of 811 sf or 51.39%. With the proposed rear addition, the new lot coverage will be 983 sf or 62.29%. This proposed lot coverage is over the 60% maximum requirement laid out in Subtitle E § 210.1 and under the 70% maximum requirement laid out in Subtitle E § 5201.1(b) for the granting of a Special Exception. We therefore ask for relief for the additional 2.29% lot coverage ratio for this project.

### III. The Application Satisfies Special Exception Requirements of Subtitle E §5201.4

Subtitle E §5200 grants the Board of Zoning Adjustment the power to grant relief to the development standards and regulations in the RF zones as a special exception. Per §5201.4 the "application... shall demonstrate that the proposed addition... shall not have 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;*

The proposed addition to 617 Massachusetts Avenue, NE will have minimal impact on the light and air available to the northeastern neighbor as the existing neighboring structure has a side yard/light well that will be 6' wide at the new addition. Also, the proposed upper floor structure is of modest height, is well under the taller neighbor to the northeast, and will have limited impact on light. To the west, the neighbor's light and air is not affected as the proposed addition maintains the existing side yard.

In addition, letters of support from the direct neighbors have been obtained. See section IX of this application.

- b. *The privacy and use and enjoyment of neighboring properties shall not unduly be compromised*

The proposed addition does not affect the privacy or enjoyment of the neighboring properties. As the addition has party wall to the northeast, there will be no windows overlooking the neighbor's yard. On the west side of the property, the new addition's western wall will have limited windows along the privacy fenced property line at the first floor. Second floor windows that face the west neighbor's yard (611 Massachusetts Avenue, NE) are setback 11.5' from the property line.

- c. *The proposed 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 and alley frontage:*

The proposed rear addition is located on the rear structure of the single family residence. As such, it has limited views from the street. The rear addition also will not adversely impact the views from the public four-foot alley as the alley is edged with privacy fencing on both sides. The rear addition's impact to the rear yard views from other adjoining neighboring yards will also be limited as the mass is within the range of other rear walls of other structures on the block.

- d. *In demonstration compliance with a, b, and c of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and sectional drawings sufficient to represent the relationship of the proposed addition or accessory structure to the adjacent buildings and views from public ways;*

Please see Item IV. Architectural Plans and Elevations in the application file.

#### IV. Granting Special Exceptions

- a. *Per Subtitle X § 901.2 the Board of Zoning Adjustment is authorized to grant special exceptions, provided that the special exceptions:*
  - i. *Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps*

The proposed addition to the existing dwelling is consistent with the purpose and intent of the residential flat zones.

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

The requested relief from the 10 foot rear addition limit will not adversely affect the use of the neighboring properties.

- iii. *Subject in specific cases to the special conditions specified in this title.*

This is not applicable to this application.

#### V. Historic Preservation Review Board Review

The proposed addition was presented to the HPRB staff and confirmed to be a project that could be considered during permitting through a staff-level review.

#### VI. Neighborhood Outreach, ANC and Office of Planning

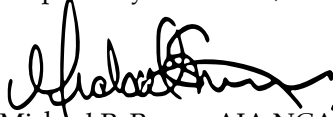
The Applicants have contacted the neighbors at 611 and 619 Massachusetts Avenue, NE as well as rear lot line neighbors at 209 6<sup>th</sup> Street NE (lot 46). Responses have been collected from immediate adjoining property owners. The non-objection letters are found in section IX of this application

The Applicants will be notifying the local ANC (6C) and the Office of Planning regarding this application.

VII. Conclusion

We feel that through approving this Special Exception, there is no detriment to the public good or impairment of the intent, purpose and integrity of the zone plan as embodied in the regulations as stated above.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Michael P. Rouse', with a stylized flourish at the end.

Michael P. Rouse, AIA NCARB

Principal Architect

Michael Patrick Rouse Architecture, PLLC