

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Applicant's Statement of Laura Williams and Kevin Donohue
4401 Garrison Street, NW (Square 1581, Lot 80)

I. INTRODUCTION.

This Statement is submitted on behalf of Laura Williams and Kevin Donohue (collectively the “**Applicant**”), owners of the property located at 4401 Garrison Street, NW (Square 1581, Lot 80) (the “**Property**”). The Property is located in the R-2 Zone and is improved with a detached, 2-story + basement, single-family dwelling (the “**Building**”). The Applicant is proposing to construct a one-story covered deck addition to the rear of the Building (the “**Addition**”). The proposed Addition will reduce a small portion of the rear yard to 15 feet 2 inches, where 20 feet is required. Accordingly, the Applicant is requesting special exception relief from the rear yard requirements of D-207 pursuant to D-5201.

II. JURISDICTION OF THE BOARD.

The Board has jurisdiction to grant the special exception relief requested pursuant to X-901.2 and D-5201 and has the authority to review the Application as an expedited review case pursuant to Y-401.2(b).

III. BACKGROUND.

A. Description of the Property and Surrounding Area.

The Property is located in the R-2 zone district. It is a corner lot measuring 3,777 square feet in land area. Abutting the Property to the north is 5104 44th Street, NW, which consists of a detached single-family dwelling. Abutting the Property to the south is Garrison Street, NW. Abutting the Property to the east is 44th Street, NW. Abutting the Property to the west is a public alley.

B. Proposed Project.

The Applicant is proposing to construct a covered deck addition—a screened in porch—on top of the existing patio at the rear of the Building. The Addition, which will be located in the southwest portion of the lot, will be 15 feet 2 inches from the Property line. The Addition is otherwise conforming to the development standards of the R-2 zone. It is also set back fifteen feet

from any public right-of-way and is designed to appear as a natural extension of the existing house, with a similar peaked roof and architectural style that complements both the home and the surrounding neighborhood. The proposal also includes new stairs and a deck landing leading to the covered porch, as well as new concrete steps to the basement.

IV. THE APPLICATION MEETS THE REQUIREMENTS FOR SPECIAL EXCEPTION RELIEF.

A. Overview.

Pursuant to Subtitle X-901.2 of the Zoning Regulations, the Board is authorized to grant special exception relief where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and will not tend to affect adversely the use of neighboring property, subject also, in this case, to the specific requirements for relief under D-5201 of the Zoning Regulations.

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. See, e.g., *Nat'l Cathedral Neighborhood Ass'n. v. D.C. Board of Zoning Adjustment*, 753 A.2d 984, 986 (D.C. 2000).

B. General Special Exception Requirements of Subtitle X § 901.2.

1. Granting of the Special Exception will be in Harmony with the General Purpose and Intent of the Zoning Regulations and Zoning Maps.

The granting of the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. The Property is located in the R-2 zone and "the R-2 zone is intended to provide for areas predominantly developed with semi-detached houses on moderately sized lots that also contain some detached houses." The Property will remain a detached single-family dwelling. The proposed rear yard request is permitted via special exception approval. Accordingly, the proposed Addition will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.

2. The granting of the special exception will not tend to affect adversely, the Use of Neighboring Property in accordance with the Zoning Regulations and Zoning Maps.

As described more fully below, the proposed Addition will not tend to adversely affect the use of neighboring properties.

C. Specific Special Exception Requirements of Subtitle D-5201.

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;

The request is for an additional 4 feet 10 inches of deck space at the rear/west of the Property and the Addition is only one story. There are no adjoining properties to the rear/west, only a 16 ft. public alley, so the Addition will be separated from the property to the rear by over 30 feet. There is one adjoining property, to the north, however, the Addition is situated on the south side of the Property, closest to Garrison Street, and will be separated from the northern property line by approximately 15 feet. The existing fences will be maintained. Accordingly, the Addition shall not unduly affect the light and air available to neighboring properties.

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

There are no adjoining properties to the rear/west, only a 16 ft. public alley. Accordingly, the Addition will be separated from the property to the rear by over 30 feet. The existing fence along the southern side of the Property and Garrison Street will remain in place, providing an additional layer of privacy and separation. There is one adjoining property, to the north, however, the Addition is situated on the south side of the Property, closest to Garrison Street. It will be separated from the adjoining property line to the north by approximately 15 feet and the existing side/north fence will also be maintained. Enclosing and covering the deck triggers the need for the relief, not the deck itself. A deck itself is permitted by right in the same footprint. By enclosing and covering the deck, it helps to create additional privacy for both the Applicant and any surrounding neighbors beyond what a by right option would provide. Accordingly, the privacy of use and enjoyment of neighboring properties shall not be unduly compromised.

(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 street or alley frontage;

The proposed Addition is located at the rear of the house and while it is visible from Garrison Street, its scale and design align with the existing home and neighborhood character. It is set back fifteen feet (15 ft.) back from Garrison Street, with some existing foliage between. It matches the existing architecture of the house with its peaked roof. Accordingly, the proposed Addition will not substantially visually intrude upon the character, scale and pattern of houses along Garrison Street.

V. CONCLUSION.

For the reasons stated above, this application meets the requirements for special exception approval by the Board, and the Applicant respectfully requests that the Board grant the requested relief.

Respectfully submitted,

Alexandra Wilson

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