

Burden of Proof

Special Exception Application

654 L 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 Ave SE, 2nd Floor
Washington, DC 20003

Date: September 29, 2025

Subject: **BZA Application, Lim-Patterson Addition**
654 L Street NE (Square 0855, Lot 0197)

Melissa Lim & Joel Patterson, owners and occupants of 654 L Street NE, hereby apply for a special exception pursuant to 11 DCMR Subtitle X, Chapter 9, to build a three-story rear addition with a roof deck at an existing attached single family row dwelling in the RF-1 zone. The zoning relief requested is as follows:

Application of Melissa Lim & Joel Patterson, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle E § 5201, from the lot occupancy requirements of Subtitle E § 210.1 and the rear addition requirements of Subtitle E § 207.5, to construct a three-story rear addition to an existing single family row dwelling in the RF-1 Zone at premises 654 L Street N.E. (Square 0855, Lot 0197).

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.

Subtitle E §210.1: The proposed addition will expand the cellar, first & second floors at the rear, and will add a third floor. It will increase the lot occupancy from 960.4 SF (64.0%) to 1050 SF (70.0%).

Subtitle E §207.5: The proposed addition will extend 18'-0" beyond the existing rear wall. The addition will extend 8'-10" past the rear wall of 652 L Street NE and 18'-0" past the rear wall of 656 L Street NE. Therefore, the proposed rear addition will extend past the 10' maximum allowed by-right relative to 656 L Street NE

II. Qualification of Special Exception

5201 Special Exception Review Standards

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

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

Board of Zoning Adjustment
District of Columbia
CASE NO. 21413
EXHIBIT NO. 10

(a) The light and air available to neighboring properties shall not be unduly affected.

656 L Street NE

656 L Street NE lies to the east of the proposed addition at 654 L Street NE. The proposed rear addition will extend 18'-0" past the existing rear wall at 656 L Street NE. Because of the depth of the addition, the light and air available to 656 L Street NE will be impacted somewhat. Since the addition lies to the east of 654 L Street, shadows will primarily be cast in the afternoon hours in the winter, spring, and fall. The impact during the summer will be minimal. Additionally, the existing garage at the rear of 654 L Street NE will be demolished, which will improve the access to light and air in the rear yard of 656 L Street NE.

652 L Street NE

652 L Street NE lies to the west of the proposed addition at 654 L Street NE. The proposed rear addition will extend 8'-10" past the existing rear wall at 652 L Street NE. Because of the depth of the addition, the light and air available to 652 L Street NE will be impacted somewhat. Since the addition lies to the west of 654 L Street, shadows will primarily be cast in the morning hours. Additionally, the existing garage at the rear of 654 L Street NE will be demolished, which will improve the access to light and air in the rear yard of 652 L Street NE.

Neighbors to the North

Neighbors to the North of 654 L Street NE are separated from the property by a 10' alley, privacy fences, and rear yards. The proposed rear addition will extend 18'-0" beyond the existing rear wall of 654 L Street NE. Because the rear addition is no taller than the existing neighboring house at 652 L Street NE, and the existing alley & rear yards, the overall impact on the light or air available to the neighbors to the north will not be undue.

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

656 L Street NE

656 L Street NE lies to the east of the proposed addition at 654 L Street NE. The wall along the shared property line will be solid, thus preventing views into the existing rear yard and house at 656 L Street NE. The proposed rear wall will have full view glass sliding doors with transoms, as well as casement windows, which will allow some views into the rear yard at 656 L Street NE. However, the views will be limited to the rear yard. The existing privacy fence also obstructs views. Therefore, the proposed addition at 654 L Street NE will not compromise the privacy of 656 L Street NE.

652 L Street NE

1230 Maryland Avenue NE lies to the west of the proposed addition at 654 L Street NE. The wall along the shared property line will be solid with no windows, thus prohibiting views into the rear yard at 652 L Street. The proposed rear wall will have full view glass sliding doors with transoms, as well as casement windows, which will allow some views into the rear yard at 652 L Street NE. However, the views will be limited to the rear yard. The existing privacy fence also obstructs views. Therefore, the proposed addition at 654 L Street NE will not compromise the privacy of 652 L Street NE.

Neighbors to the North

The proposed three-story addition is separated from the neighbors to the north by a privacy fence, a 10' public alley and the neighboring rear yards. The proposed rear wall will have full

view glass sliding doors with transoms, as well as casement windows. This will allow some views of the rear yards to the north, but those views will be obstructed by the existing privacy fence. Therefore, the proposed addition at 654 L Street NE not unduly impact the privacy of use and enjoyment of the neighbors to the North.

- (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;*

The existing square is extremely dense with backyards, garages, privacy fences, & a public alley. The proposed addition will be similar in massing to other houses on the block. The rear addition will not be visible from L Street NE. Additionally; the proposed rear addition will be constructed with high quality materials and will be appropriate in scale for the existing houses.

- (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*

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

901 Special Exception Review Standards

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;*

The proposed additions will be constructed of similar materials to other adjacent and nearby rear additions. Because of the presence of the other nearby additions and garage structures, the proposed addition will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.

- 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 addition will not impact the light and air or privacy of the neighboring properties. The addition will also not adversely affect the use of neighboring properties as residential because the applicant is not proposing a change from the existing use as a single-family dwelling.

- 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.

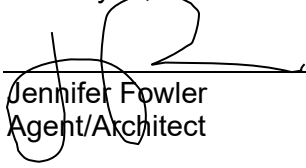
Along with this application, we have included the following items:

- a) Photos of the existing house and surroundings.

- 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 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