

Burden of Proof

Special Exception Application

1621 5th Street NW

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 Avenue SE
2nd Floor
Washington, DC 20003

Date: October 31, 2025

Subject: **BZA Application, Morello Addition**
1621 5th Street NW (Square 0509, Lot 0120)

Danielle Morello, owner and occupant of 1621 5th Street NW, hereby applies for a special exception pursuant to 11 DCMR Subtitle X, Chapter 9, to build a two-story addition on the rear of an existing single family row dwelling in the RF-1 zone. The zoning relief requested is as follows:

Application of Danielle Morello, 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, to build a two-story addition on the rear of an existing attached principal dwelling unit in the RF-1 Zone at premises 1621 5th Street NW (Square 0509, Lot 0120).

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.

The proposed addition will expand the first and second floors at the rear. The existing covered porch will be removed. It will change the lot occupancy from 776.9 SF (74%) to 735.0 SF (70%).

The proposed addition will extend 8'-1" beyond the existing first floor rear wall, less than the existing one-story covered porch which extends 12'-1" past the rear wall. The proposed addition will extend to the property line on both sides. The addition will be 8'-1" past the existing rear walls of both adjacent neighbors.

II. Qualification of Special Exception

5201 Special Exception Review Standards

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

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:

Office of Zoning Adjustment
District of Columbia
CASE NO. 21455
EXHIBIT NO. 7

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

1619 5th Street NW

1619 5th Street NW lies south of the proposed addition at 1621 5th Street. The proposed addition will extend 8'-1" beyond the existing rear wall at 1619 5th Street, but less than the existing one-story covered porch. Because the proposed addition will extend to the property line, the light and air available to 1619 5th Street will be impacted somewhat. However, the impact will be limited to the rear yard at 1619 5th Street, and will have a minimal impact on the existing house at 1619 5th Street NW.

1623 5th Street NW

1623 5th Street NW lies north of the proposed addition at 1621 5th Street. The proposed addition will extend 8'-1" beyond the existing rear wall at 1623 5th Street, but less than the existing one-story covered porch. Because the proposed addition will be on the south side and extend to the property line, the light and air available to 1623 5th Street will be impacted somewhat. However, the impact will be limited to the rear yard at 1623 5th Street, and will have a minimal impact on the existing house at 1623 5th Street NW.

Neighbors to the East

Neighbors to the east of 1621 5th Street are separated from the property by a 5' wide public alley. Additionally, privacy fences and the rear yard further separate the proposed addition from the neighbors to the east. The proposed rear addition at 1621 5th Street will be 21'-0" from the rear property line and will not extend as far back as the existing covered porch. Due to the separation between the proposed addition and the neighbors to the east, no shadows will be cast.

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

1619 5th Street NW

1619 5th Street NW lies to the south of the proposed addition at 1621 5th Street NW. The wall along the shared property line will be solid with no windows and the existing privacy fence will remain. The proposed rear wall will have windows and doors, which will allow some limited views into the rear yard at 1619 5th Street, but not the main house. Therefore, the proposed addition at 1621 5th Street will not compromise the privacy of 1619 5th Street.

1623 5th Street NW

1623 5th Street NW lies to the south of the proposed addition at 1621 5th Street NW. The wall along the shared property line will be solid with no windows and the existing privacy fence will remain. The proposed rear wall will have windows and doors, which will allow some limited views into the rear yard at 1623 5th Street, but not the main house. Therefore, the proposed addition at 1621 5th Street will not compromise the privacy of 1623 5th Street.

Neighbors to the East

The proposed rear addition is separated from the neighbors to the east by the rear yard, privacy fences, and a 5' wide public alley. Therefore, the proposed addition at 1621 5th Street NW will not unduly impact the privacy of use and enjoyment of the neighbors to the east.

c.) The proposed addition or accessory structure, together with the original building, or the proposed new 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 and alley frontage; and

The existing square is extremely dense with backyards, privacy fences, and a 5' wide public alley.

The proposed addition will be similar in massing to the other houses on the block. The rear addition will not be visible from 5th Street NW. It will be visible from the side on Warner Street NW, but the depth of the addition is minimal. Additionally, the proposed addition will be constructed with high quality materials and will be appropriate in scale for its surroundings.

(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, new building, 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

Subtitle X 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;*

As described more fully above, the addition will be in harmony with the intent of the Zoning Regulations due to the fact that the massing, materials, and details will mimic existing structures on the alley.

- 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 minimally impact the light and air or privacy of the neighboring properties.

- 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.

Plan and elevation drawings of proposed addition, including a site plan showing the relationship of the proposed addition to adjacent buildings.

- b) 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,

A handwritten signature in black ink, appearing to read 'Jennifer Fowler', is written over a horizontal line. The signature is stylized with loops and a long horizontal stroke extending to the right.

Jennifer Fowler
Agent/Architect