

DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT

Applicant's Statement of 3812 Garrison Street, NW (Square 1851, Lot 26).

I. INTRODUCTION AND NATURE OF RELIEF SOUGHT.

This Statement is submitted on behalf of the “Applicant”, The 1927 Property Heritage Trust, owner of the property located at 3812 Garrison Street, NW (Square 1851, Lot 26) (the “Property”), located in the R-1B zone. The Property is improved with a two-story detached single-family dwelling (the “Principal Building”) with a one-story garage (the “Garage”) located in the “required rear yard” portion of the rear yard. The Applicant is proposing to construct a one-story screened porch to the Principal Building (the “Addition”). Accordingly, the Project requires special exception relief pursuant to Subtitle D-5201 from the rear yard requirements of Subtitle D § 207.1.

II. JURISDICTION OF THE BOARD.

The Board has jurisdiction to grant the special exception relief requested pursuant to X901 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 an interior lot measuring 5,196 square feet in land area. Abutting the Property to the north is Garrison Street, NW. Abutting the Property to the east is 3808 Garrison Street, NW, which consists of a detached single-family dwelling. Abutting the Property to the south is the alley. Abutting the Property to the west is 3818 Garrison Street, NW, which consists of a detached single-family dwelling. The area is made up of single-family dwellings with similar screened porches located in the rear and side yards.

B. Proposed Project.

The Applicant proposes to construct a one-story screened porch addition to the Principal Building, which will connect to the existing covered rear porch of the Principal Building. The Addition conforms with the development standards of the R-1B zone. The existing Garage, located on the southeast portion of the lot, is located within the “required rear yard.” The new screened porch will also be located in the “required rear yard” and will conform with the height and building area requirements of the R-1B zone.

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 Subtitle 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-1B zone; the R-1B zone is "intended to provide for areas predominantly developed with detached houses on moderately sized lots." The Property will remain a detached single-family dwelling. Accordingly, the proposed Project 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.

The granting of the special exception will also not tend to adversely affect the use of neighboring properties, as more fully described below.

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 principal 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 fact that the New screened porch will be located in the “required rear yard” has no impact on the light and air available to neighboring properties. The effect of the relief is internal to the Property. The Principal Building and the New screened porch meet all zoning development standards. There is no side yard requirement for the New screened porch.

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

The fact that the New screened porch will be located in the “required rear yard” will not unduly compromise the privacy of use and enjoyment of neighboring properties.

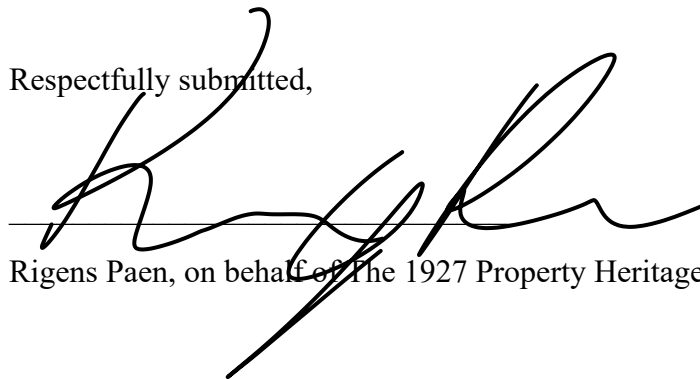
(c) The proposed addition or accessory structure, together with the original building, or the new principal building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the street or alley frontage;

The proposed screened porch Addition to the Principal Building will not be visible from Garrison Street. The screened porch Addition is in line with the character, scale, and pattern of houses along the alley. Accordingly, it will not intrude upon the character, scale, and pattern of the houses along Garrison Street or the alley.

V. CONCLUSION.

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

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Rigens Paen', is written over a horizontal line.

Rigens Paen, on behalf of The 1927 Property Heritage Trust