

**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

**APPLICATION OF
RAN XU TRUSTEE**

**3919 Watson NW
ANC 3B**

**STATEMENT OF THE APPLICANT
AMENDMENT**

NATURE OF THE RELIEF SOUGHT

This statement is submitted by Ms. Ran Xu, (the “Applicant”), as the owner of 3919 Watson Pl, NW, (the “Property”), (Square 1806, Lot 25). The Applicant seeks Special Exceptions relief to allow rear balcony along the principal structure and a one-story Accessory Structure in the RA-1 District. The Property is presently a 2 story with cellar Single Family interior rowhouse building. The requested relief to title 11 DCMR is:

1. Lot Occupancy (Subtitle F-§210.1) allows a maximum of 40% lot occupancy. The existing structure covers 50.7% of the lot. The proposed deck would increase occupy to 60.9% of the lot. (1242 sq ft)

JURISDICTION OF THE BOARD

The Board of Zoning Adjustment (the “Board” or “BZA”) has jurisdiction to grant the special exceptions requested herein pursuant to 11 DCMR Subtitle X-§901.2 of the 2016 Zoning Regulations.

BACKGROUND INFORMATION OF THE PROPERTY

The property is in the middle of the block; a RA-1 zoned lot of 2039 square feet improved by a two-story brick, attached structure with a cellar originally constructed c.1968. The structure contains 2070 sq. ft. of livable area covering 1035 sq. ft. of the lot (50.7%). The building is flanked to the east and west by similar 2 story townhouses. The opposite (north) side of Watson Pl. NW is high rise apartment buildings. There is an alley in the block. The structure sits on the front property line. The existing pervious surface area will not be changed. The adjacent properties have no solar installations. The proposal does not impact a chimney within 10 feet since the proposed accessory structure is a single story located in the rear yard.

The property is within the boundaries of ANC 3B, not located within a Historic District and the existing building on the Property is not listed on the D.C. Inventory of Historic Sites.

DESCRIPTION OF IMPROVEMENTS IN THE SURROUNDING AREA

Square 1806 is in the Observatory Circle neighborhood. The square is bounded by Watson Pl NW to the northwest, 39th Street NW to the east, and Fulton Street NW to the south. The square is a RA-1 zoning district containing residential structures, mostly detached and semi-detached residential structures. The surrounding squares are similarly developed with detached and semi-detached housing units. Lots on the southeast side of Watson Pl NW, including the applicant's lot, contain row dwellings with irregular lot configuration.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Applicant is proposing to add a 2nd floor balcony along the entire rear width of the principal structure and erect an Accessory Structure in the rear yard of the property along the alley lot line. The proposed footprint will increase the existing non-conforming 50.7% lot occupancy to 60.9%.

The RA-1 does not contemplate lot occupancy specifically for rowhouses. The more typical RF-1 zoning district for rowhouses would allow 60% lot occupancy by-right. Considered under those requirements this is a minor exception for the allowable occupancy. The irregular lot configuration also makes lot development more difficult.

The structure was constructed c.1968 and became non-conforming with introduction of the 2016 Zoning Regulations. Aside from the requests for Lot Occupancy exception, the Project complies with the development standards for the RA-1 zoning district. The Project will not affect the main façade's existing architectural elements.

NATURE OF RELIEF SOUGHT AND STANDARD OF REVIEW

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 DCRM Chapter 11, Subtitle X §901.2, where, in the judgment 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 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 in the RA-1 zone which "provides for areas predominantly developed with low- to moderate-density

development, including detached houses, row houses, and low-rise apartments". The proposed accessory structure will not alter the existing residential environment since it is an allowable use in the zone. The rear deck and accessory structure lot occupancy is permitted via special exception approval. Accordingly, the proposed improvements 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; and

The deck will not impact the light and air or privacy nor adversely affect the use of neighboring properties. The accessory structure will be positioned along the alley and not affect privacy or use of the neighboring properties.

The Applicant's compliance under §901.3 with those requirements is:

THE APPLICANT MEETS THE BURDEN OF PROOF FOR SPECIAL EXCEPTIONS

Subtitle F, Section 5201.4 provides relief for the applicant by special exception when demonstrated that the addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

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

The deck is southeast facing and extends only to the rear of the adjoining property, so only minimal shadows will be cast onto the adjoining structure. The accessory structure will be a free-standing structure in the rear yard of the property. Therefore, the light and air of adjacent neighbors will not be negatively impacted. There are no existing or permitted solar energy systems in proximity to the proposed construction. Finally, the height of the proposed improvements will not exceed the existing structure height and are well below the height limitations.

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

The privacy and use of enjoyment of the neighboring properties shall not be unduly compromised. The adjoining lots' rear yards are fenced with additional spaces only used for parking. A Public alley is to the rear of the proposed improvements.

(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 project will conform to the character, scale, and pattern of the houses on the block. The deck and accessory structure stay below the existing building height which is well below the allowed height and are at the rear of the property.

- (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; and

The Applicant has provided graphical representations vis-à-vis plat, plans, elevations, sections, and photographs to represent the project and its relationship to the adjacent buildings and views from the public way.

CONCLUSION

For the reasons stated above, the requested relief meets the applicable standards for zoning relief under the Zoning Regulations. Accordingly, the Applicant respectfully requests that the Board grant the Application.

Respectfully submitted,
for



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