

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Applicant's Statement of Arjun and Erin Joshi
4638 Ellicott Street, NW (Square 1545, Lot 60)

I. INTRODUCTION AND NATURE OF RELIEF SOUGHT.

This Statement is submitted on behalf of Arjun and Erin Joshi (collectively, the “**Applicant**”), owners of the property located at 4638 Ellicott Street, NW (Square 1545, Lot 60) (the “**Property**”), located in the R-1B zone. The Property is improved with a two-story detached single-family dwelling (the “**Building**”). The Applicant is proposing to construct a rear addition, two stories in part and one story in part (the “**Addition**”).

The Addition will reduce the Property's rear yard from 25 ft. to 11 ft. 9 in., which is less than the 25 ft. minimum required in the R-1B zone, and will increase the Property's lot occupancy from 40% to 49%. The Applicant therefore requests special exception relief from the rear yard requirements of Subtitle D-207 and the forty percent (40%) lot occupancy limit of Subtitle D-210, pursuant to Subtitle D-5201.

II. JURISDICTION OF THE BOARD.

The Board has jurisdiction to grant the special exception relief requested pursuant to X-901 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 a corner lot measuring 3,250 square feet in land area. Abutting the Property to the north is Ellicott Street and 47th Street to the west. Abutting the Property to the east is 4634 Ellicott Street, a detached single-family dwelling. Abutting the Property to the south is 4821 47th Street, a detached single-family dwelling. The area is characterized by detached single family dwellings.

B. Proposed Project.

The Applicant is proposing to construct a first-floor addition to the rear of the Building, and a second-floor addition above a portion of the existing first floor and a portion of the first-floor addition. The existing rear deck will be removed and replaced with a smaller deck. The height of the Building will not change, and the Addition will remain lower than the existing Building and

well below the maximum permitted in the R-1B zone. Because the Addition reduces the Property's rear yard below the required minimum and increases lot occupancy above the permitted maximum, special exception relief is required only for those two elements of the project.

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 Addition will not unduly affect the light and air available to neighboring properties. The Property has two abutting neighbors, one to the east and one to the south. Along the east, the Addition lines up with the existing eastern wall of the Building, so the 8-foot side yard is maintained and unchanged, and the Addition brings the Building no closer to the eastern neighbor than it already is. Along the south, although the rear yard is reduced, the height of the Addition will not exceed the height of the existing Building, and, as shown in the accompanying photo exhibit, the shared boundary with the southern neighbor is vegetated and has wood fencing, which will help buffer any effect on light and air.

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

The privacy of the neighboring properties will not be unduly compromised. Because the Addition follows the existing eastern wall line, it does not bring the Building any closer to the eastern neighbor. As to the southern neighbor, the existing vegetation and fencing along the shared rear property line, depicted in the photo exhibit, help mitigate any privacy impact from the reduced rear yard.

(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 Property will remain a detached single-family dwelling consistent with the surrounding development pattern. While the Addition may be partially visible from 47th Street, it will be substantially screened by the mature trees along that frontage, as shown in the photo exhibit. Regardless, the Addition's massing, materials, and roofline are designed to match the existing architecture of the Building, and the Project remains consistent with the scale, pattern, and character of the surrounding streetscape.

V. CONCLUSION.

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4638 Ellicott Street, NW

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,

Martin P Sullivan

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