Statement of Intended Use:

My name is Hannah-Alise Rogers, and my husband, Brady Tyra, and I own 16 Gallatin St NW, Washington DC 20011. This is a single family residence/townhouse. Our property is 18' wide and 47' deep. In the fenced back yard, there is a garage that is approximately 10' x 18'. Our property currently has a private/residential use, and the intended use of the property remains private/residential. We are proposing to add an attached deck to our back yard. The proposed deck is 16' wide and 12' deep. The deck will have a set of stairs that will lead down to the ground/back yard. Our deck building proposal involves removing the wooden stairs that are currently on the back of our house and replacing them with a deck and stairs.

Burden of Proof Statement

Brief description of proposed project and why it requires zoning relief: We are proposing to add an attached deck to our back yard. The proposed deck is 16' wide and 12' deep and is visually depicted in the drawings submitted with this appeal. We were told by the DC DOB Zoning Office that in order to build our deck, we would have to seek relief from the zoning board, because our deck as proposed would violate D § 5004.1(b), because the existing garage would occupy greater than 30% (approximately 33%) of the required 20 feet of *rear yard*, as defined in the DOB zoning regulations. We are requesting a special exception to this regulation.

How our project meets the special exception criteria in X § 901.2: Our request meets the requirements for a special exception under § 901.2(a)-(c). Under (a), if we build the deck we have proposed, it will be in harmony with the general purpose and intent of the zoning regulations, because if the deck is built, the garage would only occupy 33% of our rear yard, rather than the threshold 30%. This 3% should be negligible, and to the best of my knowledge, our proposed deck otherwise meets all other required DOB zoning regulations.

In addition, both of the neighbors on either side of us (at 14 Gallatin St NW and 18 Gallatin St NW) have a deck of the same 12x16 size (18 Gallatin) or larger (14 Gallatin), and both of these adjacent properties have the same sized lot and a garage of the same size. We were told by DC DOB that had we proposed to construct our deck prior to the 2018 update to the DC Zoning Regulations, we would have been issued a permit, just as our neighbors were, because the regulation at D § 5004.1(b) would not have applied.

Under (b), this deck will not adversely affect the use of our neighbors' property anymore than their decks currently adversely affect our property's use. Both of our neighbors at 14 and 18 Gallatin are aware of our intent to build a 12x16 foot deck and support it. And I am not aware of any other special conditions that would apply under (c).

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For these reasons, we meet the special exception criteria in §901.2 and should be granted a permit to build our proposed deck.