

## **Burden of Proof**

Ziegler Special Exception/Variance

1139 6th Street, NE Washington, DC 20002

We are seeking a special exception for this property and seeking relief from the following zoning codes:

1. The proposed footprint of the structure exceeds the maximum 60% allowed under current zoning law
2. The proposed 3rd story addition will not setback 3 feet from the existing turret and cornices. The proposed 3rd floor will have a cornice and turret to match the existing.

The total lot size is approximately 1200 square feet and the current lot occupancy is 61.66%. The lot occupancy with the proposed structure will increase by 10.8%. The proposed rear and 3<sup>rd</sup> floor additions shall not have a substantially adverse effect on the use or enjoyment of any of the abutting or adjacent properties. We believe we have met the burden of proof for a special exception pursuant to Subtitle D, Section 5201.3 for the following reasons:

- 1) The light and air available to neighboring properties will not be unduly compromised for the following reasons:
  - The rowhouses to the rear which respectively front Orleans PL and Morton PI streets are all two story structures situated across the back alley, so the proposed structure will not affect their windows, light or air flow. The construction of the proposed 3<sup>rd</sup> story will not obstruct the windows, light or airflow of any neighboring residential structures to the right, left or rear of 1139 Monroe Street NE.
- 2) The privacy and use of neighboring properties will not be unduly compromised for the following reasons:
  - The proposed addition and 3<sup>rd</sup> floor will have windows facing the backyard which abuts the back alley and the backyards of the rowhouses across.
- 3) The rear addition and the 3<sup>rd</sup> floor, together with the original house, as viewed from the street will not substantially visually intrude on the character, scale and pattern of houses along the frontage of 6th Street, NE for the following reasons:
  - The structure will be in harmony with the general purpose and intent of the zoning regulations and zoning maps. The structure was designed by an architect to match the existing house structure and is consistent with the character of the rest of the neighboring homes. The structure will match the house with brick, turret and cornice that will match those of the main house and adjacent structures.
  - The 3<sup>rd</sup> floor addition will be visible from a small portion of 6th Street and minimally visible from Morton place.