

BURDEN OF PROOF - SPECIAL EXCEPTION

5048 11th Street NE – Rear Yard/Rear Wall Extended

According to the District of Columbia Municipal Regulations, Title 11, Subtitle D, Chapter 3, Section 306.3 allows for a rear wall of an attached or semi-detached building to be constructed no farther than ten feet (10 ft.) beyond the farthest rear wall of any adjoining principal residential building on an adjoining property. However, Section 306.4 allows homeowners to extend the rear wall farther than ten feet (10 ft.) beyond the farthest rear wall of the adjoining property if approved as a special exception pursuant to Subtitle X, Chapter 9 and as evaluated against the criteria of Subtitle D §§ 5201.3(a) through 5201.3(d) and §§ 5201.4 through 5201.6. Our proposal is seeking approval via special exception. We are proposing a rear addition to our property at 5048 11th Street NE, Washington, DC 20017, that has a rear yard measurement of fifteen feet (15 ft.) from the farthest rear wall of the adjoining property (a difference of 5 ft. more than the requirement).

In accordance with Subtitle D §§ 5201.3 the proposed addition at 5048 11th Street NE, Washington, DC 20017, 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 proposed scope of work at 5048 11th Street NE, Washington, DC 20017, is a three story (includes basement) addition to the back half of the house, facing west. Since the pattern of sun travel during all Seasons moves across this property and adjoining side properties (from front to back; east to west), the addition will not affect light available to neighboring properties. The existing rear yards remain open, and the width of the rear yard is not reduced from the existing conditions of the original home footprint, thus access to air by all properties will not be substantially affected.

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

The proposed scope of work at 5048 11th Street NE, Washington, DC 20017 will not compromise the privacy of use and enjoyment of neighboring properties, even though the existing volume of the house will increase. The addition will extend 15 ft to the rear lot line on the west side. Sensitivity has been given to the placement of windows on the west elevation in case the adjoining property owner wanted to build a similar addition in the future. The north property line currently has a 3 ft high shared chain-linked fence which will remain after being adjusted to accommodate the 15 foot addition.

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c) The addition, 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.

Our addition is located entirely towards the rear of our structure and the roof line is complimentary to the existing roof line. The proposed scope of work shall not visually intrude at all upon the character, scale and pattern of houses along the subject street frontage because it only viewable at very a skewed angles between the unattached house next door. The addition will be visible from the alley that abuts the property on the west; however, it will be well-proportioned in detail and similar to the current structure.

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;

Please see the detailed statement explaining the scope of work to be performed at 5048 11th Street NE, Washington DC 20017, drawings, and all pertinent material provided to the BZA with my application requesting a Special Exception for my Non-Conforming Rear Yard addition.

Respectively submitted,



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