

BZA NO. 20209

Application of Uzoma (Uzi) Ogbuokiri

Areas of Relief Application

Special Exception Pursuant to 11 DCMR Subtitle X, Chapter 9, §900.2

- D, § 5201.1 (a) Percentage of lot occupancy under D, § 304.1
- D, § 5201.1 (b) Side yard set back under D, § 206.7
- D, § 5201.1 (c) Extension of a nonconforming side yard under C, § 202.2
- U, § 253.10 Location of entrance to an accessory apartment under U, § 253.7 (c)

Special Exception Standards

BZA authorized to grant special exception where in the judgment of the BZA, the special exception;

- a. Will be in harmony with the general purpose and intent of the Zoning Regulations & Zoning Maps.
- b. Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and the Zoning Maps; and
- c. Will meet special conditions as may be specified in this title.

Property Location and Description

Property Address: 7521 9th St., NW

Zone District: R-2

Neighborhood: Brightwood: Ward 4

Square: 2961 Lot: 0018

Lot Description: Corner Lot. Intersecting Streets: 9th St. NW and Hemlock

Property Improvement: Row Dwelling

Lot Area: 1588 Sq. ft.

Lot Width: 16.33 ft.

Compliance with Special Exception Standards

- a. **Harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps**
 - Property devoted to a conforming use – Principle dwelling with accessory apartment in the R-2 Zone District.
 - Row structure constructed as a matter of right under ZR58 pursuant to § 405.5 – side yard not required for corner lot.
- b. **Not tend to affect adversely the use and enjoyment of neighboring properties**
 - Property abuts only one neighboring property
 - All other properties separated by public right of way streets in excess of 60 ft. in width and a 16 ft. alley respectively.
 - No openings overlooking the only adjoining property.

Compliance with Special Exception Standards (contd.)

- c. Will meet such special conditions as may be specified:
 - Specified special conditions are set forth under D, §§ 5201.1 - 5201.6
 - Applicant submits that the application complies with every specified special provisions. Refer to exhibit No. 41.

Waiver Provisions set Forth Under U, § 253.10

- Property is a corner lot with front address on 9th St.
- Entrance to accessory apartment located on Hemlock St.
- BZA allowed to waive this provision
- Entrance door to accessory apartment is below grade and not visible from street
- The R-3 zone district permits such entrance below grade without waiver.
- Proposed entrance design not foreign in the R zone districts.

Conclusion

- Application complies with the three standards set forth under X, § 901.2 (a), (b) & (c)
- Application complies with all applicable special conditions set forth under D, §§ 5201.1 through 5201.6
- Applicant respectfully requests that the BZA grant the special exception reliefs sought in the instant application.