

Burden of Proof Special Exception Application

610 South Carolina Avenue SE

To: The Office of Zoning
Government of the District of Columbia
Suite 210 South
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Washington DC 20001

From: Michael Fowler
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Date: November 19, 2020

Subject: BZA Application, Hsu-Gajwani Residence
610 South Carolina Avenue SE (Square 0875, Lot 0037)

Michael Hsu and Seema Gajwani, owners of 610 South Carolina Avenue SE, hereby apply for special exceptions pursuant to Subtitle X, Chapter 9, to build a one-story rear screened porch addition. The aspects of the proposed project that fall outside the current zoning regulation are as follows:

Relief is requested from Subtitle E § 304.1 from the lot occupancy limitations for a row dwelling in the RF-1 zone.

The existing house has a lot occupancy of 817.6 SF (53.4%), which will increase to 1020.6 (66.7%) with the proposed screened porch addition. The proposed lot occupancy will be below the 70% maximum allowed by a special exception for a row house in the RF-1 zoning district (Subtitle E § 304.1).

I. Summary:

This special exception qualifies under ZR-16 Subtitle E, Chapter 5201 and Subtitle X, Chapter 9, because the proposed addition will not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property.

II. Qualification of Special Exception

5201 Special Exception Relief from Certain Required Development Standards

By satisfying the requirements of E-5201.1, and E-5201.4 through E-5201.6, the application also meets the general special exception requirements of X-901.2, see below.

5201.4 An application for special exception relief under this section shall demonstrate that the proposed addition, new 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;*

608 South Carolina Avenue SE

608 South Carolina Avenue SE lies to the west of the property at 610 South Carolina Avenue SE. The rear of 608 South Carolina Avenue SE has a two-story addition and is separated from the proposed screened porch by open courts on both properties totaling 10.3' in width. The angle in the property lines at the rear of the lots also mean that the proposed addition is sited further away from 608 South Carolina Avenue SE than if the lot lines were straight. The proposed screened porch addition is only one-story. The existing structures on both properties are three-stories tall at the front (south). For these reasons, the light and air available to 608 South Carolina Avenue SE will not be unduly affected.

616 South Carolina Avenue SE

616 South Carolina Avenue SE lies to the east of the property at 610 South Carolina Avenue SE. The two-story rear of 616 South Carolina Avenue SE is separated from 610 South Carolina Ave by a 5.0' open court and has a two-story porch with stair to the rear yard. The proposed screened porch addition is only one-story. The existing structures on both properties are three-stories tall at the front (south). For these reasons, the light and air available to 616 South Carolina Avenue SE will not be unduly affected.

Neighbors across the alley to the rear

The properties on 6th Street SE are separated from the proposed one-story screened porch addition by the 10' alley and the rear yards of properties along South Carolina Avenue SE. The properties across the alley are three-stories with two-story rear porches. For these reasons, the light and air available to the neighbors across the alley will not be unduly affected.

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

608 South Carolina Avenue SE

The proposed screen porch angles away from the property at 608 South Carolina Avenue SE and is separated by open courts on both properties. The proposed screen porch is only one-story and there is an existing privacy fence along the property line. Overall, the one-story screen porch addition will not unduly compromise the privacy of use and enjoyment of the neighbors at 608 South Carolina Avenue SE.

616 South Carolina Avenue SE

The proposed screen porch has privacy panels along the property line shared with 616 South Carolina Avenue SE. The screen porch is only one-story and there is an existing privacy fence that will continue along the shared property line. Overall, the screen porch addition will not unduly compromise the privacy of use and enjoyment of the neighbors at 616 South Carolina Avenue SE.

Neighbors across the alley to the rear

The properties on 6th Street SE are separated from the proposed one-story screened porch addition by the 10' alley and the rear yards of properties along South Carolina Avenue SE. The properties across the alley are three-stories with two-story rear porches. In addition to the alley and rear yards, further separation is provided by the existing privacy fences on both sides of the alley. Overall, the screen porch addition will not unduly compromise the privacy of use and enjoyment of the neighbors across the alley to the north.

- 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 new addition will be wood framed to match the existing additions on structures that access the same alley. There is an existing two-story rear porch on the property directly to the east, and a two-story rear addition on the property directly to the west. Additionally, two-story porches exist on the rear of the properties across the alley. Because of the presence of other nearby additions and porches, the proposed screened porch addition will be in harmony with the intent of the regulations.

- d. *In demonstrating compliance with paragraphs (a), (b), and (c) of this subsection, the applicant shall use graphical representations such as plan, 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.*

Architectural plans and photographs have been submitted with the application.

901 Special Exception Review Standards

901.2 The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgement of the Board of Zoning Adjustment, the special exceptions:

- a. *Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;*

The new screened porch addition will be constructed of similar materials to other adjacent and nearby porches and rear additions. Because of the presence of the other nearby additions and porches, the proposed addition will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.

- b. *Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps;*

As described more fully above, the addition will not impact the light and air or privacy of the neighboring properties. The addition will also not adversely affect the use of neighboring properties as residential because the applicant is not proposing a change from the existing use as a single-family dwelling.

- c. *Will meet such special conditions as may be specified in this title.*

902 Application Requirements

An application for a special exception and an area variance shall meet the requirements of Subtitle Y § 300.

Along with this application, we have included the following items:

- a) Photos of the existing house and surroundings;

- b) Plan and elevation drawings of proposed addition, including a site plan showing the relationship of the proposed addition to adjacent buildings.
- c) Official Plat from the DC Office of the Surveyor.

If you require any further clarification or have any questions regarding the application, we are available at any time to discuss them with you.

Thank you,

Michael Fowler

Michael Fowler
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