

Burden of Proof Special Exception Application

66 Randolph Place NW

To: **The Office of Zoning**
Government of the District of Columbia
Suite 210 South
441 4th Street, NW
Washington DC 20001

From: **Jennifer Fowler**
Agent/Applicant
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Date: November 8, 2021

Subject: **BZA Application, Phillips Rear Deck**
66 Randolph Place NW (Square 3102, Lot 0105)

Rebecca Phillips, owner of 66 Randolph Place NW, hereby applies for a special exception pursuant to Subtitle X, Chapter 9, to build a rear deck. The aspects of the proposed project that fall outside the current zoning regulation are as follows:

Relief requested:

1. *Subtitle E § 304.1, lot occupancy*
2. *Subtitle E § 306.1, rear yard*

The existing carport will be demolished, and a rear deck will be built 1'-7" above the first-floor level with a parking slab below. The existing house has a lot occupancy of 1053.2 SF (70.2%). The lot occupancy will change to 1050.5 SF (70%) with the proposed rear deck. The proposed lot occupancy will remain below the 70% maximum allowed by a special exception for a row house in the RF-1 zoning district (Subtitle E § 304.1).

The proposed rear deck reduces the rear yard to 6'-4", which is below the minimum 20'-0" required by-right (Subtitle E § 306.1).

I. Summary:

This special exception qualifies under ZR-16 Subtitle D, Chapter 5201 and Subtitle X, Chapter 9, because the rear 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 Review Standards

By satisfying the requirements of E-5201.1, E-5201.4 and E-5201.5, the application also meets the general special exception requirements of X-901.2.

5201.4 An applicant for special exception under this section shall demonstrate that the addition or accessory structure 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;

64 Randolph Place NW

64 Randolph Place NW lies to the east of the proposed rear deck at 66 Randolph PI NW. The proposed rear deck will extend 15'-3" past the existing two story covered porch at 64 Randolph PI. The proposed deck will have open railings along the property line and will therefore have little impact the light and air available to the rear yard at 64 Randolph Place. The removal of the existing carport will greatly improve the access to light and air.

68 Randolph Place NW

64 Randolph Place NW lies to the west of the proposed rear deck at 66 Randolph PI NW. A small landing and steps to grade extend along the shared property line. The proposed rear deck will be set 3'-3" over from the shared property line. The proposed deck will have open railings along the side. The open railings and setback allow light and air at 68 Randolph PI. Therefore the proposed deck at 66 Randolph Place will have little impact the light and air available to the rear yard at 68 Randolph Place. The removal of the existing carport will greatly improve the access to light and air.

Neighbors to the South

The houses to the south of the proposed deck are separated from 66 Randolph Place by a 20' wide public alley and rear yards. The separation from the proposed rear deck at 66 Randolph Place provided by both the public alley and the existing rear yards reduces the impact on the light and air available to the neighbors to the south. The proposed rear deck will not impact the properties to the south.

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

64 Randolph Place NW

The proposed rear deck at 66 Randolph Place NW will extend 15'-3" past the existing two-story covered porch at 64 Randolph PI. The deck will have open railings, which will allow some views into the rear yard and existing covered porch at 66 Randolph Place. The proposed deck will have a minor impact on the privacy of use and enjoyment for 64 Randolph Place, but the impact will be limited to the rear yard and porch and have little impact on the existing house.

68 Randolph Place NW

The proposed rear deck at 66 Randolph Place NW will extend 15'-3" past the existing structure at 68 Randolph Place NW. However, only 9'-10" of the deck will be raised above the existing first floor level. The deck will have open railings, which will allow some views into the rear yard at 68 Randolph Place. Additionally, the deck will be separated from the shared property line by 3'-3" wide stairs down to grade. This separation will help reduce the impact on the privacy of use and enjoyment for 68 Randolph Place NW. Overall, the proposed rear deck will have a minor impact on the privacy of use and enjoyment, but it will be limited to the rear yard ta 68 Randolph Place.

Neighbors to the South

The houses to the south of the proposed deck are separated from 66 Randolph Place by a 20' wide public alley and rear yards. The separation from the proposed rear deck at 66 Randolph Place provided by both the public alley and the existing rear yards reduces the impact on privacy of use and enjoyment for the neighbors to the south. The proposed rear deck will not impact the properties to the south.

(c) The addition or accessory structure, 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;

The proposed deck will be on the rear of the house. The existing square is extremely dense. There exist houses of varying widths and depths. The proposed deck will extend beyond the existing neighbors but will not be visible from the public street. The proposed deck will be constructed with high quality materials and will be appropriate in scale for the existing houses on the alley.

(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

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 proposed deck will be on the rear of the house. It will extend beyond the existing neighbors but will not be visible from the public street. The proposed deck will be constructed with high quality materials and will be appropriate in scale for the existing houses on the alley.

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 deck will minimally impact the light and air or privacy of the neighboring properties.

902 Application Requirements

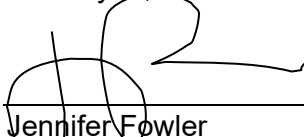
An application for a special exception shall meet the requirements of Subtitle Y § 300.

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,



Jennifer Fowler
Agent/Architect
202-546-0896