

# Burden of Proof Special Exception Application

To: **D.C. Board of Zoning Adjustment**  
441 4<sup>th</sup> St NW, Suite 210S  
Washington, DC 20001

For: **Christopher Astilla**  
Applicant  
216 14<sup>th</sup> Pl. NE  
Washington, DC 20002

By: **Lacy Brittingham AIA**  
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Authorized Agent  
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Date: January 13, 2020

Subject: **BZA Application, Special Exception Relief**  
216 14<sup>th</sup> Pl. NE (Square 1055, Lot 0031)

Christopher Astilla, owner of 216 14<sup>th</sup> Pl. NE, hereby applies for zoning relief to construct a rear two-story addition, by authorization of Subtitle X, Chapter 9 per the provisions and requirements of Subtitle E, Section 5201. The aspects of the proposed project that fall outside the current zoning regulations are as follows:

The proposed lot occupancy of 64.9%, exceeds the allowed lot occupancy of 60% (11 DCMR Subtitle E, Section 304.1).

The proposed addition extends greater than the allowed ten foot (10.0') beyond the farthest rear wall of any adjoining principal residential building on an adjoining property (11 DCMR Subtitle E, Section 205.4). From the existing rear wall of the adjoining neighbor at 214 14<sup>th</sup> Pl., the proposed addition would extend 10'-2" at the second floor.

## I. Summary

A. This special exception qualifies under 11 DCMR Subtitle E, Section 5201 because the lot occupancy does not exceed 70% and the rear addition will not unduly affect the

light and air available to neighboring properties nor will it have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property.

- B. The proposed addition will be similar in character and style to the existing houses and additions to existing houses in the neighborhood.

## **II. Basis for Grant of Special Exception**

Subtitle E, Section 5201 provides relief based on satisfying specific criteria under which additions may be permitted within the RF-1 zone as a Special Exception as follows:

- a) *The light and air available to neighboring properties shall not be unduly affected.*

The proposed addition at 216 14<sup>th</sup> Pl. NE will be less than the full build-out potential on the lot at only 64.9%. The existing house to the north at 218 14<sup>th</sup> Pl. will extend still several feet beyond the new proposed back wall at 216 14<sup>th</sup> Pl. and itself has a significant percentage of lot coverage. The house to the south at 214 14<sup>th</sup> Pl. currently has a building permit under review to construct a rear two-story addition. In fact, once the neighbor's building permit is granted, the project at 216 will not require relief from Section E204.5 for extending more than ten feet beyond the attached neighbor's rear wall. Additionally, the for the proposed addition, the dogleg was retained on both levels allowing greater air flow around the backs of the houses.

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

The proposed addition will not unduly compromise the privacy or enjoyment of the neighbors. The proposed addition has no windows on either the north or south elevations so no views from the new addition into either neighbor's back yards from the second floor of 216 14<sup>th</sup> Pl. will be possible. The windows on the existing house on the dogleg side of the existing brick wall at 216 that will remain look at the brick wall of the house at 218. Additionally, the existing wood fence will remain on both property lines so the privacy between the properties will not be altered from the existing condition.

- c) *The addition, together with the original building, as viewed from the street alley or other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage.*

The proposed addition is two-story and so fits the scale of the existing houses on this block. The addition has been designed in a style and vocabulary typical of additions to

other existing rowhouses in the neighborhood. The dogleg was retained on both levels and is a common form in the neighborhood and with rowhouses in general. The rear elevation has a bay projection at the second floor to provide character and visual interest to the upper rear elevation which will be visible from the alley over the existing fences and car gate that will remain.

Please refer to the drawings for the size, scale and detail notes pertaining to the design of the proposed addition.

**Respectfully submitted,**

A handwritten signature in black ink, appearing to read "Lacy Brittingham". The signature is fluid and cursive, with the first name "Lacy" and last name "Brittingham" clearly distinguishable.

**Lacy Brittingham AIA**

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