

Burden of Proof Special Exception Application

1507 E Street SE

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
1819 D Street SE
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Date: September 4, 2020

Subject: **BZA Application, Dickinson Addition**
1507 E Street SE (Square 1076, Lot 0038)

Charles & Coreil Dickinson, owners and occupants of 1507 E Street SE, hereby apply for a special exception pursuant to 11 DCMR Subtitle X, Chapter 9, to build a two-story rear addition with enclosed space at the cellar and a third floor addition above an existing attached flat in the RF-1 zone. The zoning relief requested is as follows:

Application of Charles & Coreil Dickinson, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle E § 5201, from the rear addition requirements of Subtitle E § 205.4, the rear yard requirements of Subtitle E § 306.1, and from the lot occupancy requirements of Subtitle E § 304.1, to construct a three-story rear addition and a third floor addition to an existing single family row dwelling in the RF-1 Zone at premises 1507 E Street S.E. (Square 1076, Lot 0038).

I. Summary:

This special exception qualifies under ZR-16 Subtitle D, Chapter 5201 and Subtitle X, Chapter 9, because the lot occupancy does not exceed 70%, and the addition will not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property.

The proposed addition will expand the first and second floor levels and add a 3rd floor level. It will increase the lot occupancy from 519.8 SF (53.6%) to 672.2 SF (69.4%).

The proposed addition will extend 12'-2" past the existing structure, which will also be 12'-2" past the existing neighbors to the east and west. Therefore, the proposed rear addition will extend past the 10' maximum allowed by-right. (Subtitle E § 205.4).

II. Qualification of Special Exception

5201 Special Exception Review Standards

By satisfying the requirements of E-5201.3 through E-5201.6, the application also meets the general special exception requirements of X-901.2.

5201.3 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;*

Board of Zoning Adjustment
District of Columbia
CASE NO.20371
EXHIBIT NO.14

1509 E Street SE

1509 E Street SE lies to the east of the proposed addition at 1507 E Street SE. The proposed rear wall at 1507 E Street SE will extend 12'-2" past the existing rear wall and approximately 7'-2" past the existing covered porch at 1509 E Street SE.

The proposed addition will include a third floor above the existing footprint of the house, as well as a new rear addition. Because of the depth of the addition, the light and air available to 1509 E Street SE will be impacted somewhat. However, the overall impact will not be undue because the houses are oriented north-south. Shadows will mostly be limited to afternoon hours.

1505 E Street SE

1505 E Street SE lies to the west of the proposed addition at 1507 E Street SE. The proposed rear wall at 1507 E Street SE will extend 12'-2" past the existing rear wall at 1505 E Street SE. The proposed addition will include a third floor above the existing footprint of the house, as well as a new rear addition. Because of the depth of the addition, the light and air available to 1505 E Street SE will be impacted somewhat. However, the overall impact will not be undue because the houses are oriented north-south. Shadows will mostly be limited to morning hours.

Neighbors to the South

Neighbors to the south of 1507 E Street SE are separated from the property by a 10'-0" alley, privacy fences, and rear yards. The proposed rear addition will extend 12'-2" beyond the existing rear wall of 1507 E Street SE. The increase in height and depth will cause additional shadows to be cast into the rear yards of neighbors to the south (especially 506 15th Street SE) However, this will be limited to the morning hours.

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

1509 E Street SE

1509 E Street lies to the east of the proposed addition at 1507 E Street SE. The proposed rear addition will extend 12'-2" past the existing rear wall and approximately 7'-2" past the existing covered porch at 1509 E Street SE.

The new rear wall will have casement windows at the first and second floor, as well as French doors at the third-floor level. The addition will be set back 4'-6" from the property line and will have casement windows along the east wall. This will allow for additional views into the rear yard at 1509 E Street SE. The existing covered porch at 1509 E Street SE and the existing privacy fence along the shared property line will help to obstruct some of these views.

Therefore, the proposed addition at 1507 E Street SE will cause a decrease, but not unduly compromise the privacy of use and enjoyment of 1509 E Street SE.

1505 E Street SE

1505 E Street SE lies to the west of the proposed addition at 1507 E Street SE. The proposed rear addition will extend 12'-2" past the existing rear wall at 1505 E Street SE.

The new rear wall will have casement windows at the first and second floor, as well as French doors at the third-floor level. The side wall facing 1505 E Street SE will not have windows.

The proposed addition will include a third floor above the existing footprint of the house. The third floor and rear addition will only have windows facing north and south. The new rear wall will have casement windows at the first and second floor, as well as French doors at the third-floor level. There will be a slight decrease in the privacy enjoyed by the occupants of 1505 E Street SE in their rear yard.

Neighbors to the South

The proposed rear addition at 646 E Street NE will extend the existing house by 12'-4" on all floor and will include a third-floor addition above the existing footprint of the house. The new rear wall will have casement windows at the first and second floor and French doors at the third-floor level.

The proposed windows along the northern wall of the addition and the increase in height will allow for additional views into the rear yards of neighbors to the south (especially 506 15th Street SE). Views into the rear yards of other houses to the south will be minimized by the existing 10'-0" alley, rear yards, privacy fences, and existing garages. Overall, the proposed rear addition at 1507 E Street SE will not unduly compromise the privacy of use and enjoyment of neighbors 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 existing square is extremely dense with backyards, privacy fences, garages, and a public alley. The proposed addition will be similar in massing to the other houses on the 1500 and 1600 blocks of E Street SE that have been expanded with a third floor. The front facade of the third floor will sloped mansard roof with dormer windows to break up the massing of front facade. The rear portion of the addition will be visible from the alley and from the properties to the south. However, it will not visible from the street. Additionally, the proposed addition will be constructed with high quality materials and will be appropriate in scale for the existing houses.

(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

Plans, photographs, and elevational drawings have been submitted into the record.

5203 Special Exception Review Standards

In an RF zone district, relief from the design requirements of Subtitle E § 206.1 may be approved by the Board of Zoning Adjustment as a special exception under Subtitle X, Chapter 9, subject to the conditions of Subtitle E § 5203.3.

5203.1 The Board of Zoning Adjustment may grant as a special exception a maximum building height for a principal residential building and any additions thereto of forty feet (40 ft.) subject to the following conditions:

(b) Any addition, including a roof structure or penthouse, shall not block or impede the functioning of a chimney or other external vent on an adjacent property required by any municipal code;

The plans indicate that the existing chimney at 1505 E Street SE will be extended so that it is higher than the proposed third floor. The owner of 1505 E Street SE has indicated support of the project.

(d) Any addition, including a roof structure or penthouse, shall not interfere with the operation of an existing or permitted solar energy system on an adjacent property, as evidenced through a shadow, shade, or other reputable study acceptable to the Zoning Administrator;

There are no solar systems on the adjacent properties.

- (e) A roof top architectural element original to the house such as a turret, tower, or dormers shall not be removed or significantly altered, including changing its shape or increasing its height, elevation, or size;

The existing cornice at the front façade will remain. There are no architectural elements that will be removed.

- (f) In demonstrating compliance with Subtitle E § 5203.1(e) the applicant shall use graphical representations such as plans, photographs, or elevation Subtitle E-34 and section drawings sufficient to represent the relationship of the conversion and any associated addition to adjacent buildings and views from public ways.

902 Application Requirements

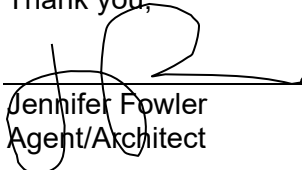
An application for a special exception shall meet the requirements of Subtitle Y § 300.

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