

Burden of Proof Special Exception Application

1322 D 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**
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Date: October 8, 2018

Subject: **BZA Application, Turner-Repko Addition**
1322 D Street SE (Square 1041, Lot 0812)

Christopher Turner and Elizabeth Repko, owners of 1322 D Street SE, hereby apply for a special exception pursuant to Subtitle X, Chapter 9, to build a two-story plus cellar rear addition on their existing two-story row house. The aspects of the proposed project that fall outside the current zoning regulation are as follows:

The proposed rear addition will be within the 60% maximum lot occupancy allowed by-right. The lot occupancy will increase from 553.9 SF (30.6%) to 876.6 SF (48.5%). However, the proposed addition will extend 20'-0" past the existing structure, which will also be 20'-0" past the existing neighbors. Therefore, the proposed rear addition will only extend 10'-0" past the 10' maximum allowed by-right (Subtitle E § 205.4).

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-5201.3 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;*

1320 D Street SE

1320 D Street SE lies to the west of the proposed rear addition at 1322 D Street SE. The proposed two-story plus cellar rear addition will extend 20'-0" past the existing house at 1320 D Street SE. Therefore, the proposed rear addition at 1322 D Street SE will impact the light and air available to

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1320 D Street somewhat; however, the impact on daylight will be limited to shadows cast into the rear yard during the morning hours. The proposed addition will not be taller than the existing houses at 1322 D Street or 1320 D Street, so the overall impact on the existing house at 1320 D Street will be minor. The proposed covered porch will be located on the other side of the addition and will have no impact on the light and air available to 1320 D Street.

1324 D Street SE

1324 D Street SE lies to the east of the proposed rear addition at 1322 D Street SE. The proposed two-story plus cellar rear addition will extend 20'-0" past the existing house at 1324 D Street SE. 1324 D Street has an existing open porch along the shared property line and the proposed addition at 1322 D Street will only extend 14'-0" beyond the existing covered porch. The proposed addition at 1322 D Street will impact the light and air available to 1324 D Street somewhat; however, the impact on daylight will be limited to shadows cast into the rear yard during the afternoon hours. The proposed addition will not be taller than the existing houses at 1322 D Street or 1324 D Street, so the overall impact on the existing house at 1324 D Street will be minor. The proposed covered porch will be open and will have little impact on the light and air available to 1324 D Street

Neighbors to the North

Large rear yards and a public alley separate the neighbors to the north of 1322 D Street SE and the proposed rear addition. A large apartment complex is to the north of 1322 D Street SE but is set back from the property lines. The proposed rear addition will reduce the size of the rear yard of 1322 D Street, but the size of the rear yard will remain large at 59'-1". Any shadows cast by the proposed addition will not impact the houses to the east due to the large rear yards.

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

1320 D Street SE

The proposed addition at 1322 D Street SE will extend the existing house by 20'-0". It will also extend 20'-0" past the rear of 1320 D Street. The western wall will be a face-on-line wall with no windows. The rear wall will have new windows and doors, which will also allow some views into the rear yard at 1320 D Street. The existing privacy fence will remain along the shared property line to help obstruct some of these views. The proposed covered porch at 1322 D Street will be along the eastern property line and will not allow any views into the rear yard at 1320 D Street. The proposed addition at 1322 D Street will have some impact on the privacy of use and enjoyment of the rear yard at 1320 D Street, but the impact will be minor.

1324 D Street SE

The proposed addition at 1322 D Street will extend the existing house by 20'-0". It will also extend 20'-0" past the rear of 1324 D Street and approximately 14'-0" past the existing covered porch at 1324 D Street. The eastern wall will be a face-on-line wall with no windows. The rear wall will have new windows and doors, which will also allow some views into the rear yard at 1324 D Street. The existing privacy fence will remain along the shared property line to help obstruct some of these views. The proposed covered porch will allow some views into the rear yard at 1324 D Street, but the existing fence will help mitigate the impact. The proposed addition at 1322 D Street will have some impact on the privacy of use and enjoyment of the rear yard at 1324 D Street, but the impact will be minor.

Neighbors to the North

The proposed rear addition at 1322 D Street will reduce the size of the existing rear yard. However, the rear yard will remain large and the apartment complex to the north will be separated by the rear yards and public alley. The impact on the privacy of use and enjoyment for the neighbors to the north will be minimal given the large separation between the dwellings.

(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 addition will be on the rear of the house. The existing square is extremely dense and a couple of the houses have garages in the rear yards. A comparable size addition already exists two doors down at 1318 D Street. The proposed addition will extend beyond the existing neighbors, but it will not be visible from the public street. The proposed addition 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

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
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