

BURDEN OF PROOF

Subject: BZA Application, 913 7th Street NE
Sq 0888, Lot 0046

The owners of 913 7th Street NE are applying for a special exception pursuant to Subtitle X, Chapter 9, to add a rear two story addition to the existing single family home.

The lot size of the project is 2,082.88 sq ft and the existing lot occupancy is 943.76 sq ft (45.31%). The proposed rear addition will result in a lot occupancy of 1,247.69 sq ft (59.9%).

The addition will extend 15' past the existing neighbor's rear wall (911 7th Street NE) which is greater than the maximum 10' allowed by right (Subtitle E205.4).

The addition will extend 35'-10" past the existing neighbor's rear wall (915 7th Street NE) which is greater than the maximum 10' allowed by right (Subtitle E205.4). The existing building (913 7th St NE) extends 20'-10" past the existing neighbor's rear wall (915 7th Street NE). The new addition will increase by 15'.

I. Summary

The special exception qualifies under ZR-16 Subtitle X, Chapter 9 because the development will not have a substantially adverse effect on the use or enjoyment of any abutting dwelling or property.

II. Qualifications of Special Exception

The Board of Zoning Adjustment will evaluate and either approve or deny a special exception application according to the standards of this section. 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 judgment 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 addition to the existing single family home will be consistent with the intent of the Zoning Regulation and Zoning Maps. Square 0888 has multiple lot shapes, and types of structures. The proposed lot coverage and continued residential use will be consistent with other properties in and adjacent to the square.

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

Please see responses to (c)

C. Will meet such special conditions as may be specified in this title, Subtitle E, Section 5201.3 provides relief based on the following criteria:

"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

911 7th Street NE

911 7th Street NE lies to the South of the proposed addition at 913 7th Street NE. The proposed two story rear addition will extend 15' past the existing house at 911 7th Street NE. Therefore, the proposed addition will impact the light and air available to 911 7th Street NE somewhat; however the impact on daylight will be limited and very minimal since it lies to the south.

915 7th Street NE

915 7th Street NE lies to the North of the proposed addition at 913 7th Street NE. The proposed two story rear addition will extend 35'-10" past the existing house at 915 7th Street NE, and increase 15' from the existing condition. Therefore, the proposed addition will impact the light and air available to 915 7th Street NE somewhat; however the impact on daylight will be limited and very minimal. The shadows cast on the house will occur during the morning hours.

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

911 7th Street NE

911 7th Street NE lies to the South of the proposed addition at 913 7th Street NE. The proposed two story rear addition will extend 15' past the existing house at 911 7th Street NE. Therefore, the proposed addition will impact the privacy in the rear yard of the house, but it will be minimal.

915 7th Street NE

915 7th Street NE lies to the North of the proposed addition at 913 7th Street NE. The proposed two story rear addition will extend 35'-10" past the existing house at 915 7th Street NE, and increase 15' from the existing condition. Therefore, the proposed addition will impact the privacy in the rear yard of the house, but the increase from existing conditions will be minimal.

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 very diverse with housing and churches and there is a U shaped alley behind the house at 913 7th Street NE. The proposed rear addition will not be visible from the public street, only from the alley. The proposed rear addition will be constructed with high quality materials to blend with the design and character of the neighborhood. The design will increase the visual appeal of the existing rear façade.