



**BZA Application**

<b>Application # B2110122</b>	<b>Re: Statement of review standards and Burden of proof</b>
<b>To: Board of Zoning Adjustment</b>	<b>Project location: 428 11<sup>th</sup> Street SE Washington DC 20003</b>
<b>From: Ileana Schinder, Architect</b> 6316 2 <sup>nd</sup> Street NW Washington DC 20011 ile@ileanaschinder.com	<b>Date: January 3, 2022</b>

**BURDEN OF PROOF**

**901.2 Special Exception Review Standards**

<b>REVIEW STANDARDS</b>	<b>PROPOSED CONDITIONS</b>
(a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;	The project does not affect the public way nor the aesthetics to the neighborhood. The proposed additions mirror the existing conditions of the neighboring property.
(b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and	The proposed addition does not affect the privacy, safety, access to natural light nor it will limit the potential access to solar energy at neighboring properties. The proposed conditions are identical in height, depth and openings to existing neighboring properties.
(c) Will meet such special conditions as may be specified in this title	The proposed conditions continue with the tradition of the neighborhood of extending properties to the rear maintaining the existing setback.

**E5201.4 Design Treatment**

The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.

- **Applicant Response:** the project welcomes BZA's requirement to reduce the impact of the project. Proposed conditions show the following:
  - Large openings to the rear only, reduced size windows to the side for bedroom egress only.
  - No exterior lighting above the ground floor.



- o No protrusions, awnings or other fixed elements that may obstructs the access to natural light to neighboring properties.

**E304. Lot Occupancy**

**E304.1** the maximum permitted lot occupancy in the RF-1 zone shall be as set forth in the following table

**TABLE E § 304.1: MAXIMUM LOT OCCUPANCY**

STRUCTURE	MAXIMUM PERCENTAGE OF LOT OCCUPANCY
Detached dwellings; Semi-detached dwellings; Row dwellings and flats; Places of worship	60%
Conversion of a building or structure to an apartment house	The greater of 60% or the lot occupancy as of the date of conversion
An apartment house that existed prior to 1958 and has been in continuous use as an apartment house	60%
All other structures	40%

EXISTING LOT OCCUPANCY: 59%, Max allowed 60%

PROPOSED: 70%.

DEVIATION: 10%

Based on the compact shape of the lot, it is estimated that the proposed deviation from the maximum allowable lot occupancy does not present a negative impact to the neighboring properties.

**E-306 Rear Yard**

**E-306.1** A Minimum rear yard of 20'-0" shall be provided in the RF-1 zones

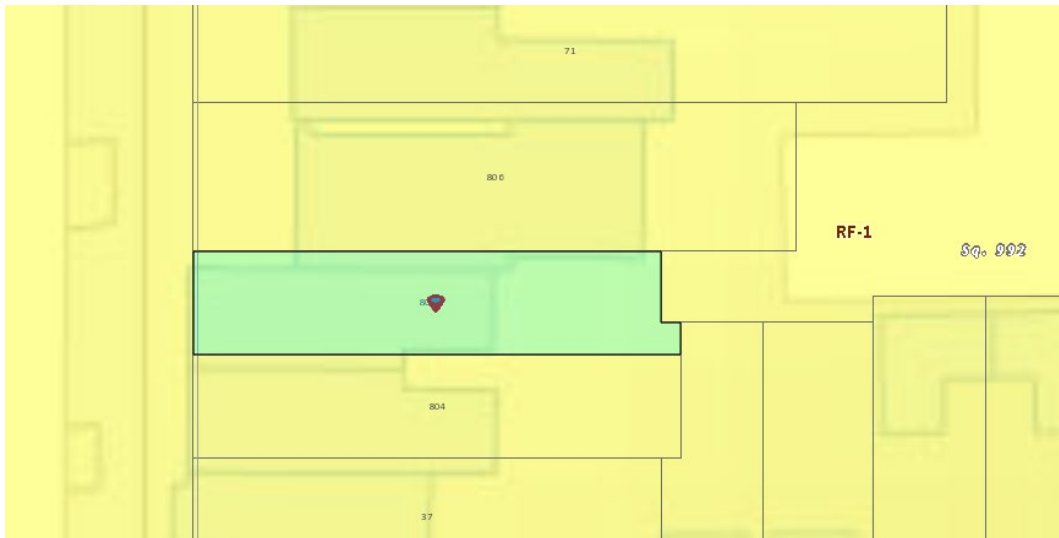
EXISTING REAR YARD: 25'-0"

MAXIMUM ALLOWED 20'-0"

PROPOSED REAR YARD: 17.2'

Based on the existing rear property line. The proposed rear year is 14'-0" at its shortest point and 17'-0" its deepest point. The rear property line matches the existing building rear plane of north adjoining property (SSL 0992-806). The proposed addition is the minimum feasible based on a 1-bedroom addition.

Source: DCOZ Zoning Map



**E-205 Rear Yard**

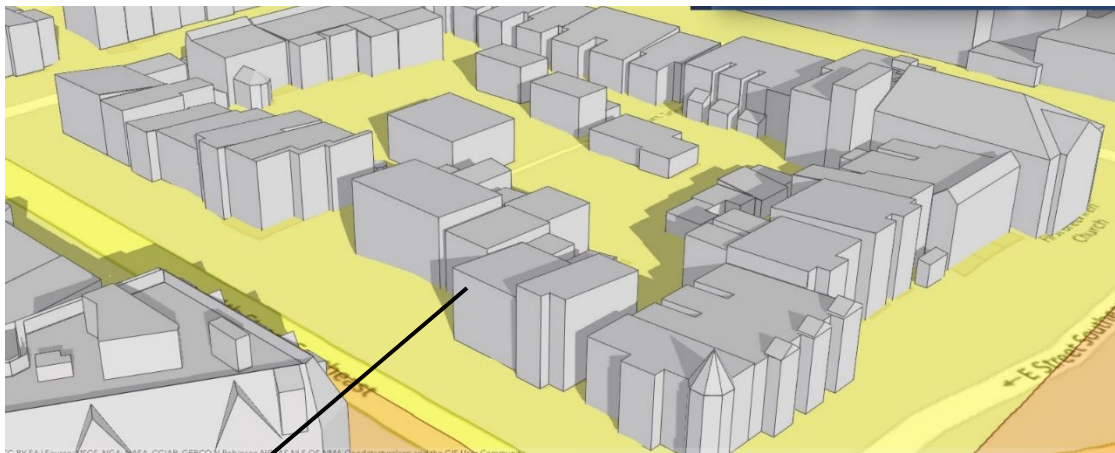
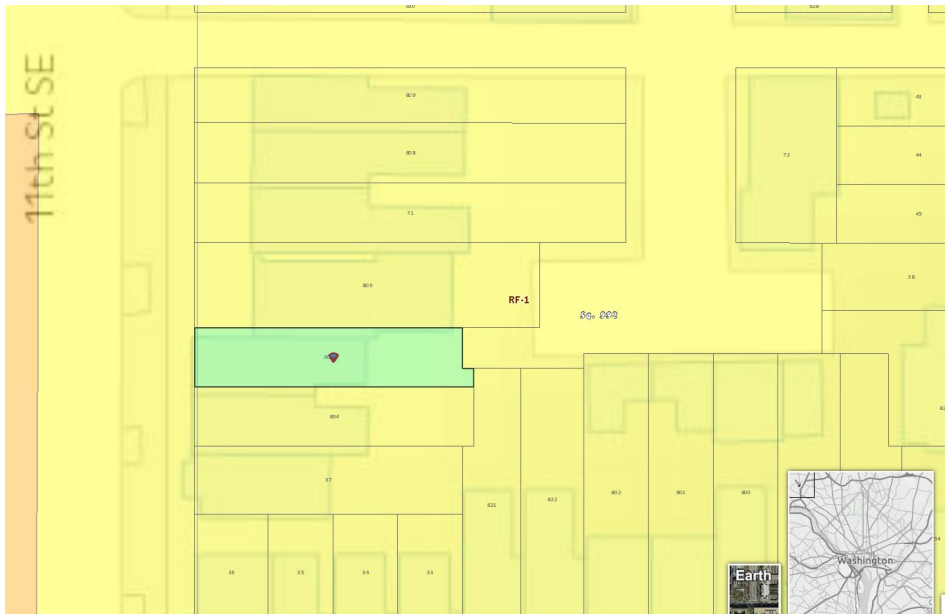
**E-205.4** Notwithstanding 205.1 through 205.3 (see 306.1) a rear wall of a row or semi-detached building shall not be constructed to extend farther than 10'-0" beyond the farthest rear wall of any adjoining principal residential building on any adjacent property.

**E-205.5** A rear wall of a row or semi-detached building may be constructed to extend farther than 10'-0" beyond the farthest rear wall of any principal residential building on any adjacent property if approved as a special exception pursuant to Subtitle X, Chapter 9, and subject to Subtitle U 5201 if applicable

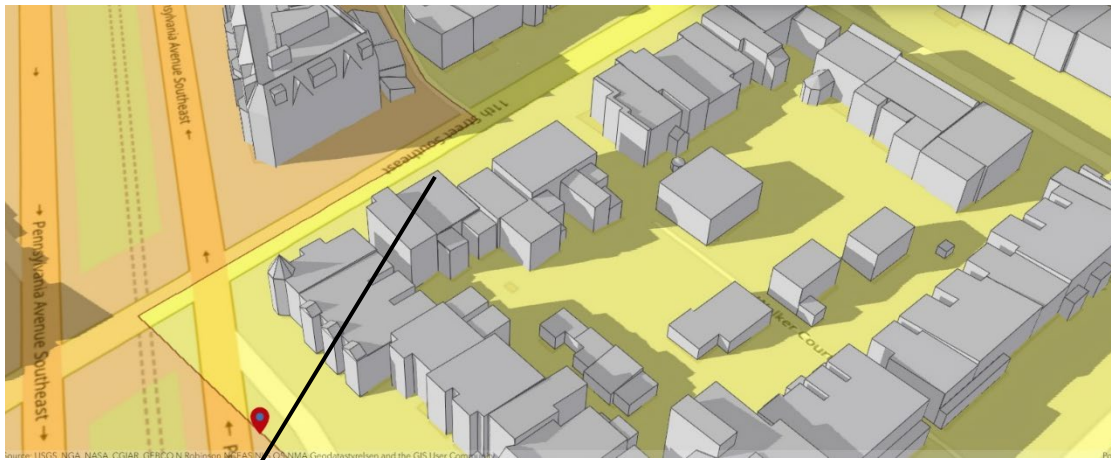
PROPOSED REAR ADDITION 12'-0"  
 ADJOINING ADDITIONS: 23'-6" NORTH, 0 SOUTH  
 PARTY WALL LOCATION: NORTH

The 12'-0" proposed rear addition shares the party line with a property to the north. The proposed addition will be 20'-0" less than the existing building to the north (SSL 0992-0806). The proposed 12'-0" addition maintains the open court to the property on the south (SSL 0992-0804).

Source: DC Zoning Map



428 11<sup>th</sup> Street SE



428 28th Street SE