

Burden of Proof Special Exception Application

530 11th 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
Washington, DC 20003

Date: March 24, 2019

Subject: **BZA Application, Fisher-Boyle Addition**
530 11th Street SE (Square 994, Lot 0816)

Christina Fisher and Joseph Boyle, owners of 530 11th Street SE, hereby apply for a special exception pursuant to Subtitle X, Chapter 9, to build a two-story rear addition on their existing two-story row house. The property will also be converted into a two-family flat. The aspects of the proposed project that fall outside the current zoning regulation are as follows:

Relief requested:

1. *Subtitle E § 504.1, lot occupancy*
2. *Subtitle E § 205.4, rear setback*

The existing house has a lot occupancy of 673 SF (41.3%), which will increase to 1083.3 (66.6%) with the proposed rear addition and steps to grade. The proposed lot occupancy will be below the 70% maximum allowed by a special exception for a row house in the RF-1 zoning district (Subtitle E § 504.1).

The proposed addition will extend 25'-0" past the existing rear wall, which will also be between 12'-4" and 25'-0" past the existing abutting neighbors. Therefore, the proposed rear addition will extend beyond 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;*

528 11th Street SE

528 11th Street SE lies to the north of the proposed rear addition at 530 11th Street SE. The proposed two-story rear addition will extend 25'-0" past the existing house at 528 11th Street SE. Therefore, the proposed rear addition at 530 11th Street SE will impact the light and air available to 528 11th Street SE somewhat. Because the proposed addition will not be taller than the existing houses at 528 and 530 11th Street, the overall impact on the existing house at 528 11th Street SE will not be undue. Additionally, a 5'-4" court and a 3' side yard have been included on the north side of the addition in order to reduce the impact on 528 11th Street SE.

A sun study has been done in order to demonstrate the impacts (See Exhibit A).

Winter:

During the winter months, additional shadows will be cast onto the rear walls/windows of 528 11th Street primarily during the morning hours. My midday and afternoon in the winter, the shadows will deepen in the yard.

Spring/Fall:

During spring and fall, like the winter, additional shadows will be cast onto the rear walls/windows of 528 11th Street primarily during the morning hours. My midday and afternoon in the winter, the shadows will deepen in the yard.

Summer:

During the summer, because the sun tracks high in the sky, there will be little change in the shadows cast onto the property at 528 11th Street SE. Primarily shadows will lengthen long the shared fence line.

532 11th Street SE

532 11th Street SE lies to the south of the proposed rear addition at 530 11th Street SE. The proposed two-story rear addition will extend 12'-4" past the existing house at 532 11th Street SE.

Because of the orientation, the proposed rear addition at 530 11th Street SE will not impact the light and air available to 532 11th Street SE. The proposed addition will not be taller than the existing houses at 530 and 532 11th Street, so the overall impact on the existing house at 532 11th Street SE will not be undue.

A sun study has been done in order to demonstrate the impacts (See Exhibit A).

Winter:

During the winter months, no additional shadows will be cast onto the rear walls/windows of 532 11th Street SE.

Spring/Fall:

During spring and fall, like the winter, no additional shadows will be cast onto the rear walls/windows of 532 11th Street SE.

Summer:

During the summer, no additional shadows will be cast onto the rear walls/windows of 532 11th Street SE.

Neighbors to the East

The houses to the east of the proposed project front onto G Street SE. They have very deep back yards. 1114 G Street abuts the subject property, and has an existing one story shed that sits directly behind 530 11th Street SE. All of the houses on the square surrounding the proposed project are landlocked and do not have alley access.

Neighbors to the North

To the north of the proposed project sits large commercial properties. One of which is the Frager's Hardware development which is several stories tall.

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

528 11th Street SE

The proposed addition at 530 11th Street SE will extend the existing house by 25'-0". It will also extend 25'-0" past the rear of 528 11th Street SE. The north wall will maintain the existing 5'-4" open court with the same windows and doors that exist now. The new addition will be set back 3' from the property line and will have windows facing north. All of the windows, with the exception of one on the first floor, will be up high. Because of the elevated sill heights, it will be difficult to look into the property at 528 11th. And the window that is full height on the first floor will not have direct views in due to the privacy fence.

The rear wall will have new windows and doors, which will also allow some views into the rear yard at 528 11th Street SE. Additionally a narrow balcony and stairs allow for access from the second-floor unit to grade. The existing privacy fence will remain along the shared property line to help obstruct some of these views. The proposed addition and balcony at 530 11th Street SE will have some impact on the privacy of use and enjoyment of the rear yard at 528 11th Street SE, but the impact will be minor.

532 11th Street SE

The proposed addition at 530 11th Street SE will extend the existing house by 25'-0". It will also extend 12'-4" past the rear of 532 11th Street SE. The south wall of the addition will be a face on line wall with no windows.

The rear wall will have new windows and doors, which will allow some views into the rear yard at 532 11th Street SE. Additionally a narrow balcony and stairs allow for access from the second-floor unit to grade. The existing privacy fence will remain along the shared property line to help obstruct some of these views. The proposed addition and balcony at 530 11th Street SE will have some impact on the privacy of use and enjoyment of the rear yard at 532 11th Street SE, but the impact will be minor.

Neighbors to the East

The houses to the east of the proposed project front onto G Street SE. They have very deep back yards. 1114 G Street abuts the subject property, and has an existing one story shed that sits directly behind 530 11th Street SE. All of the houses on the square surrounding the proposed project are landlocked and do not have alley access.

Neighbors to the North

To the north of the proposed project sits large commercial properties. One of which is the Frager's Hardware development which is several stories tall.

(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 many houses have deep lots. There exist houses of varying widths and depths. 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.

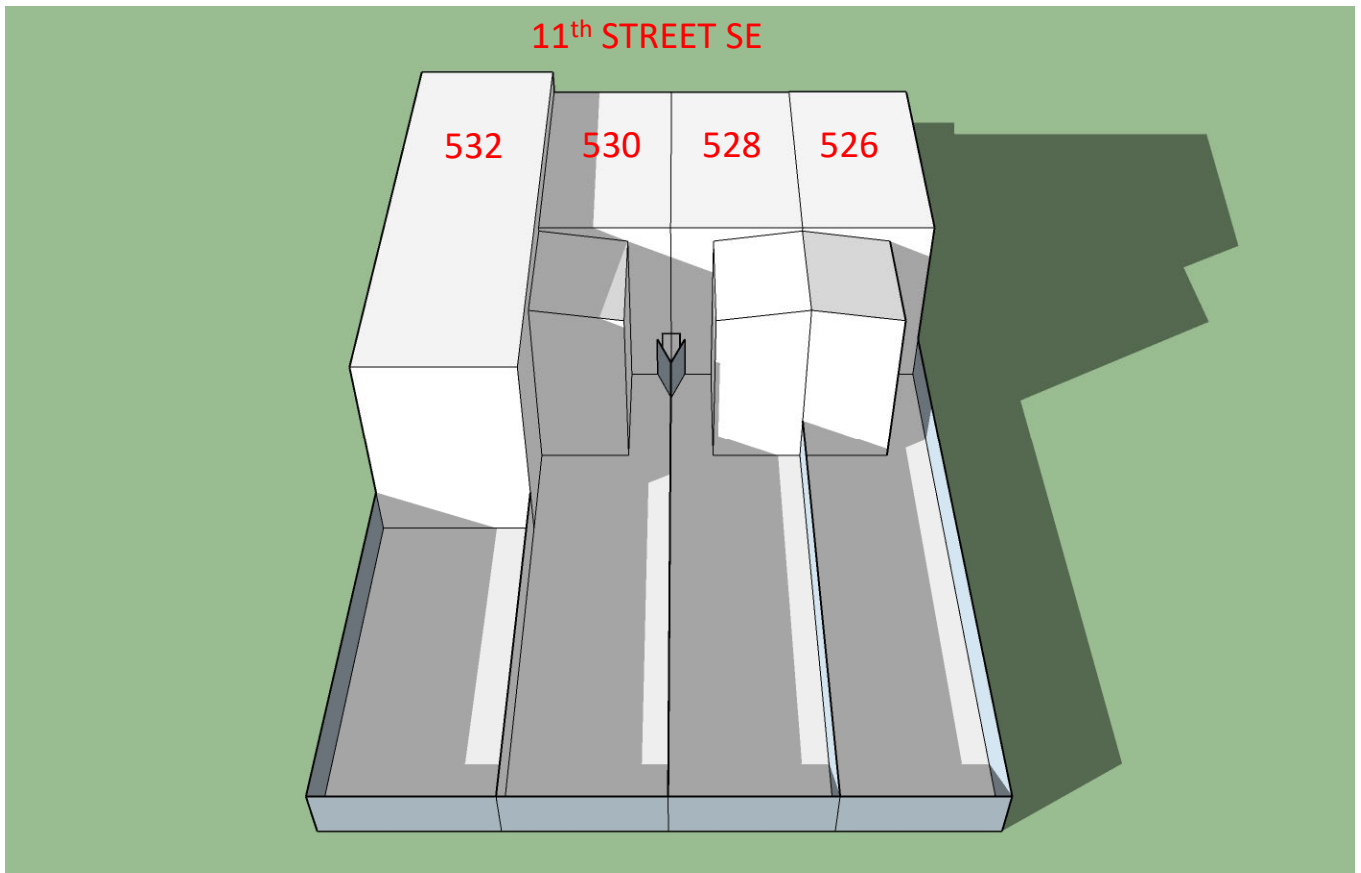
If you require any further clarification or have any questions regarding the application, we are available at any time to discuss them with you.

Thank you,

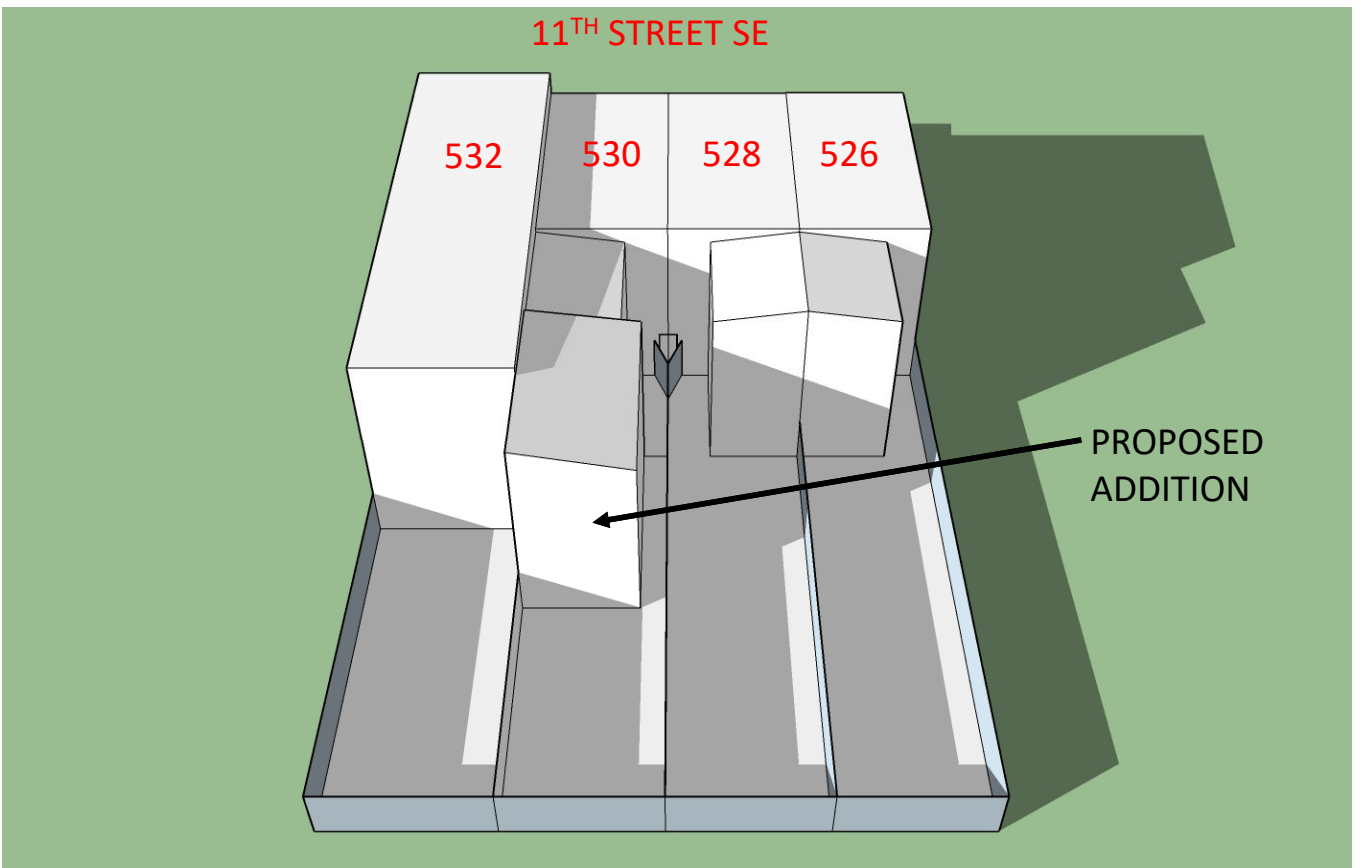


Jennifer Fowler
Agent/Architect
202-546-0896

EXHIBIT A- SUN STUDY

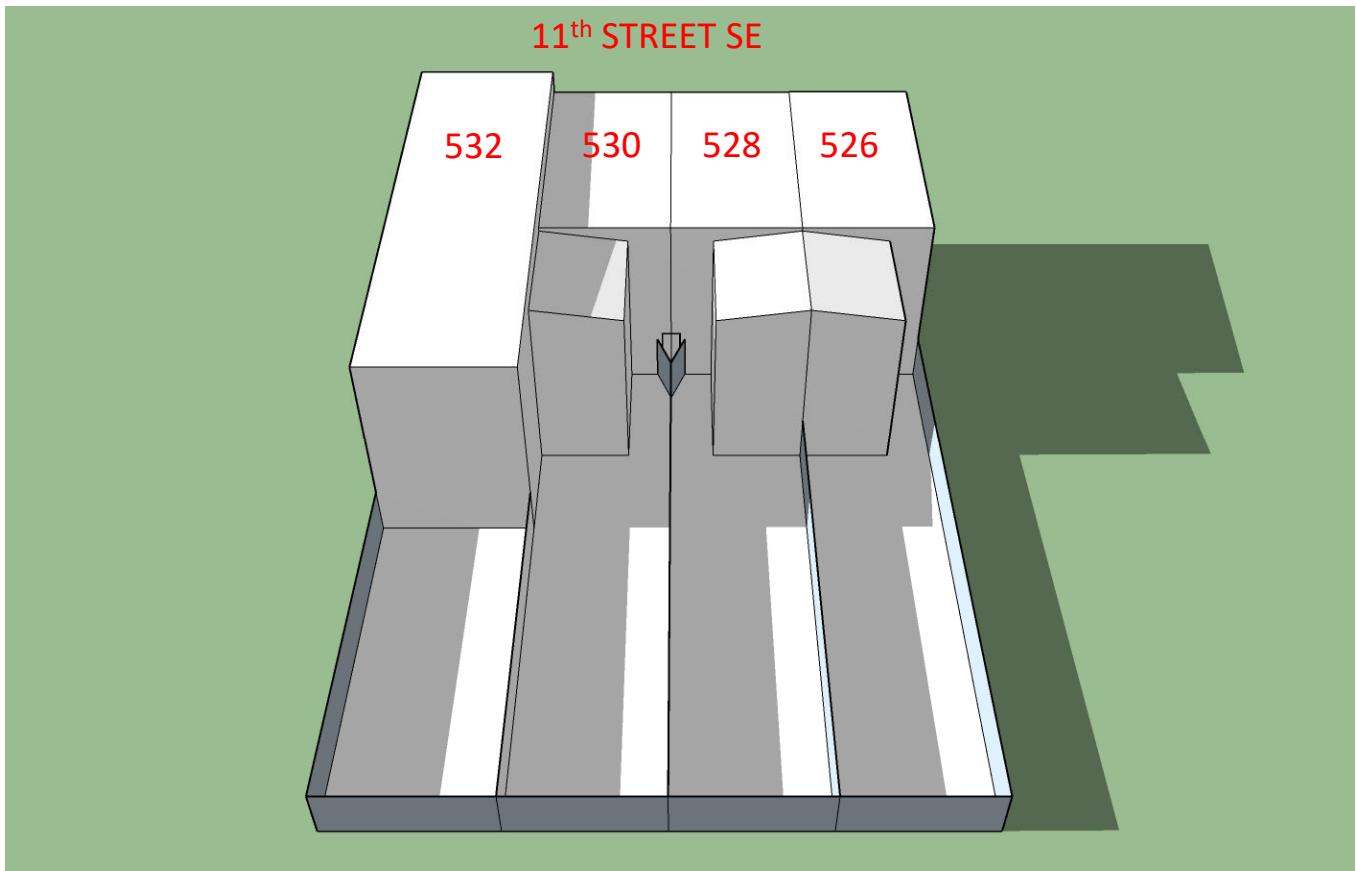


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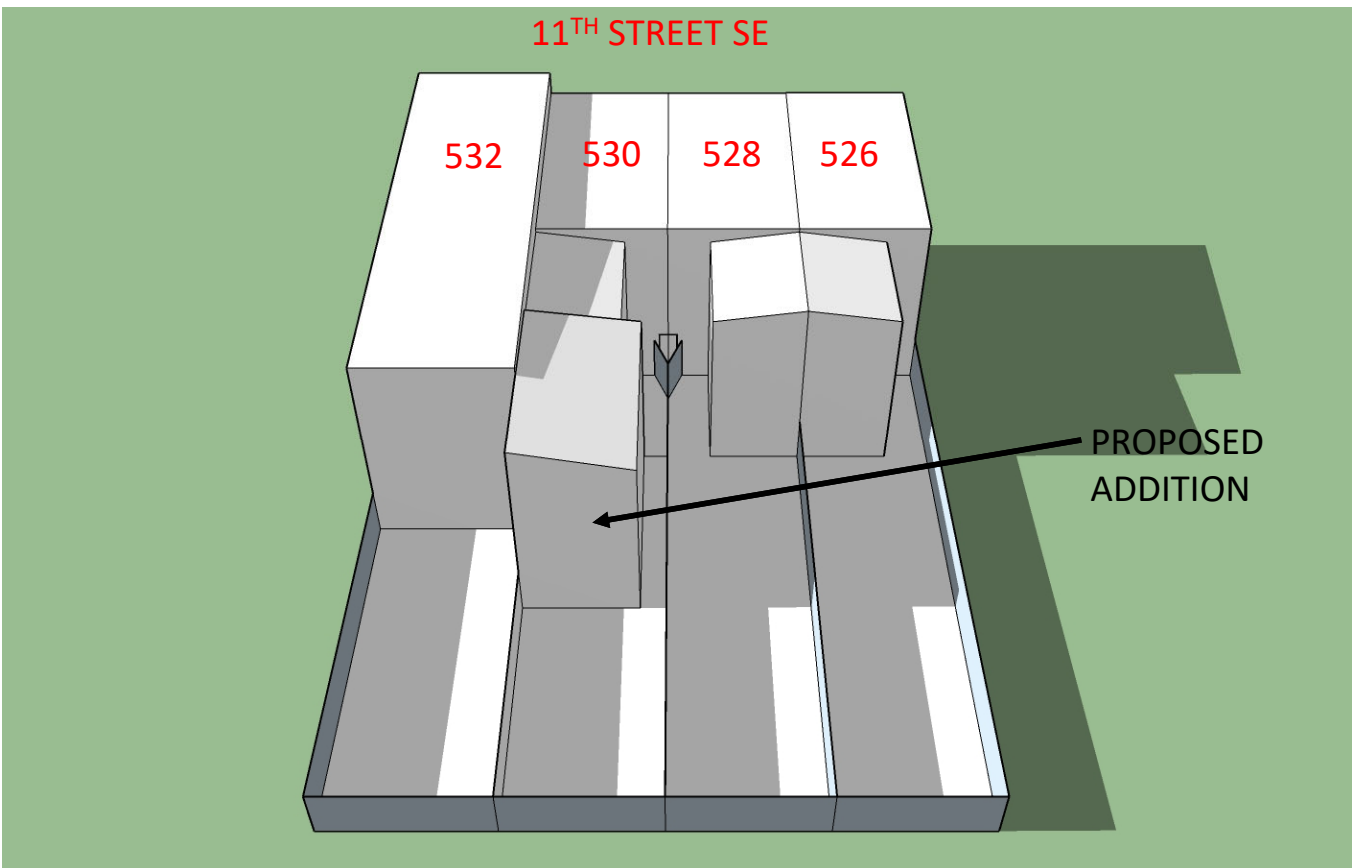


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530 11th Street SE SUN STUDY

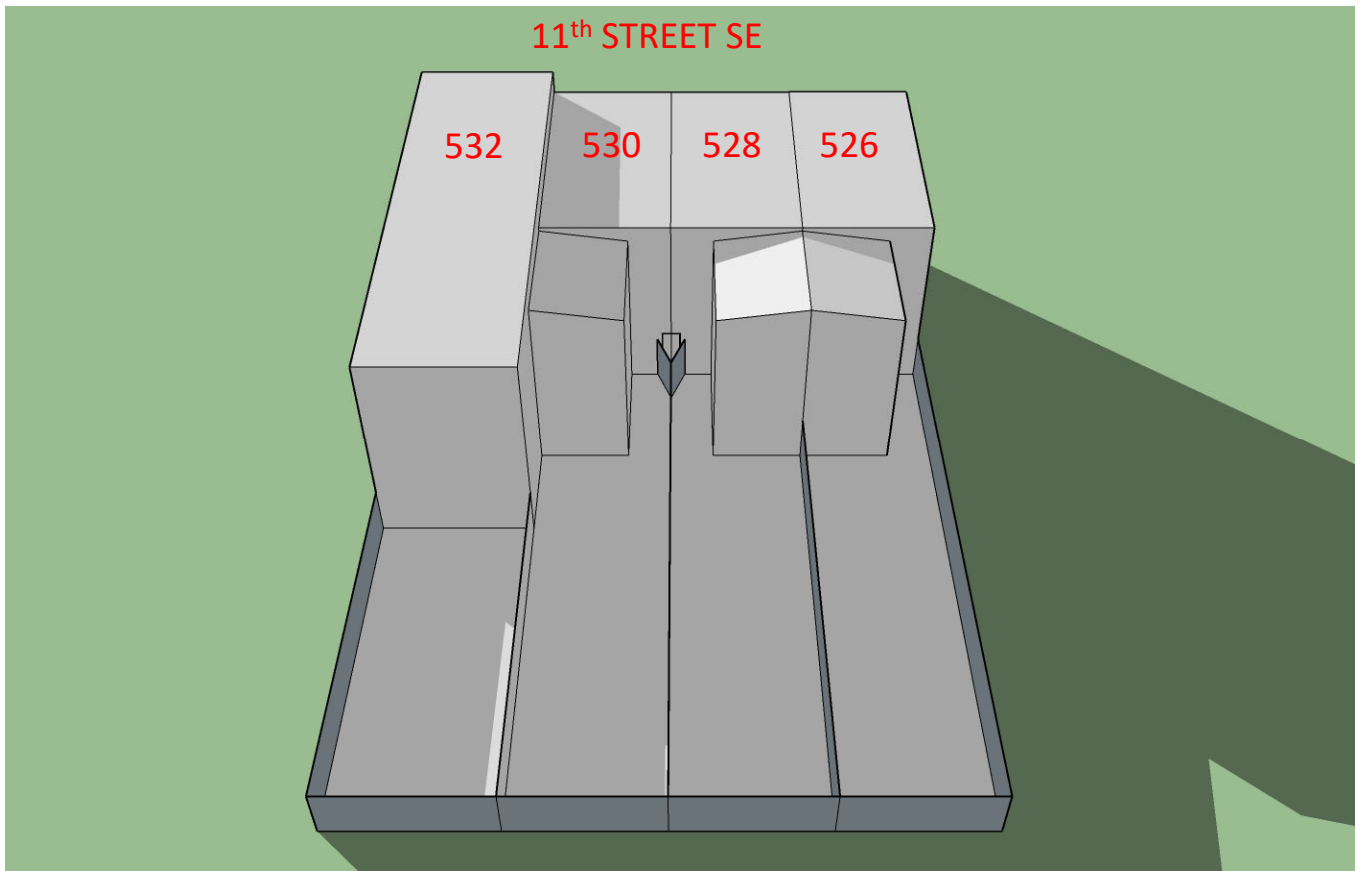


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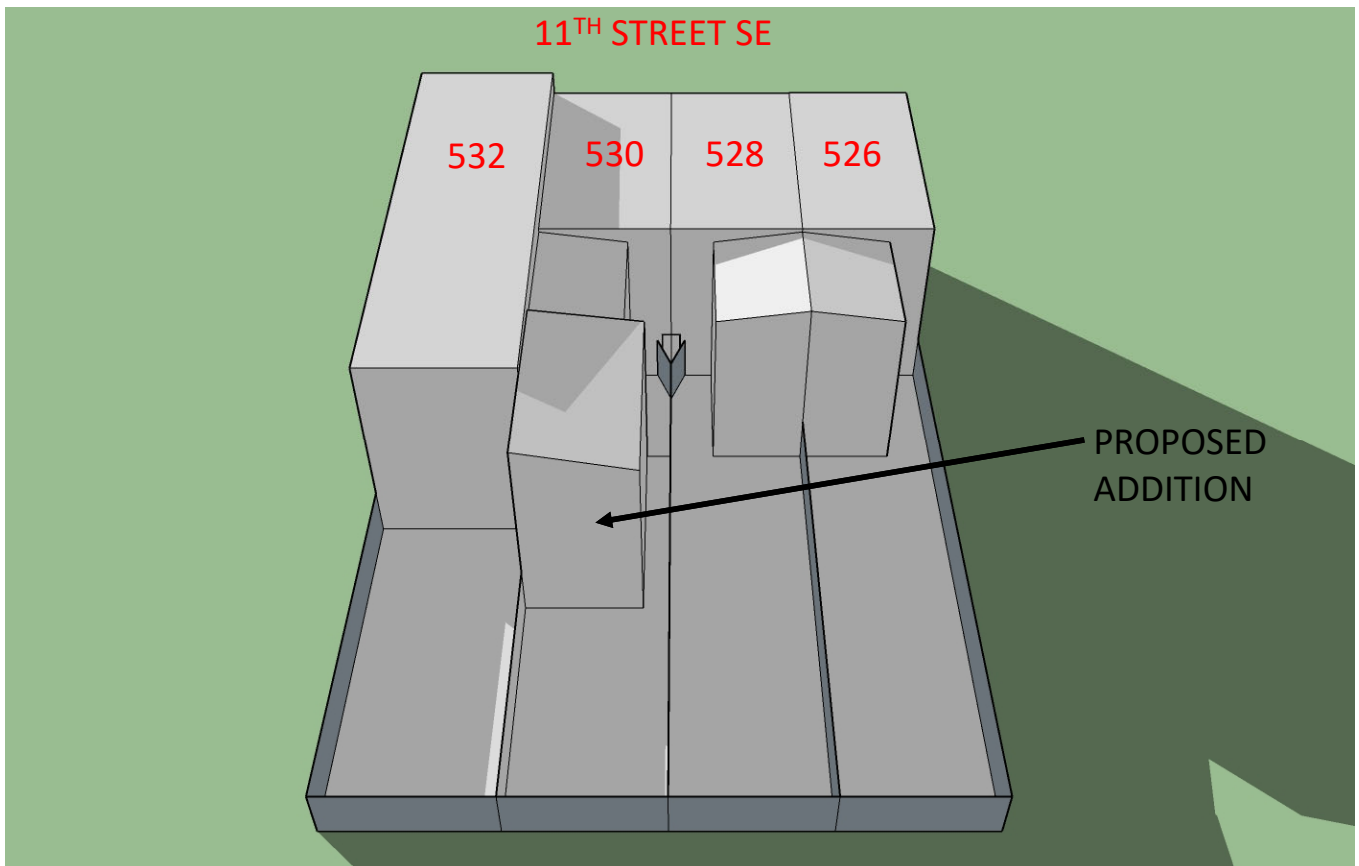


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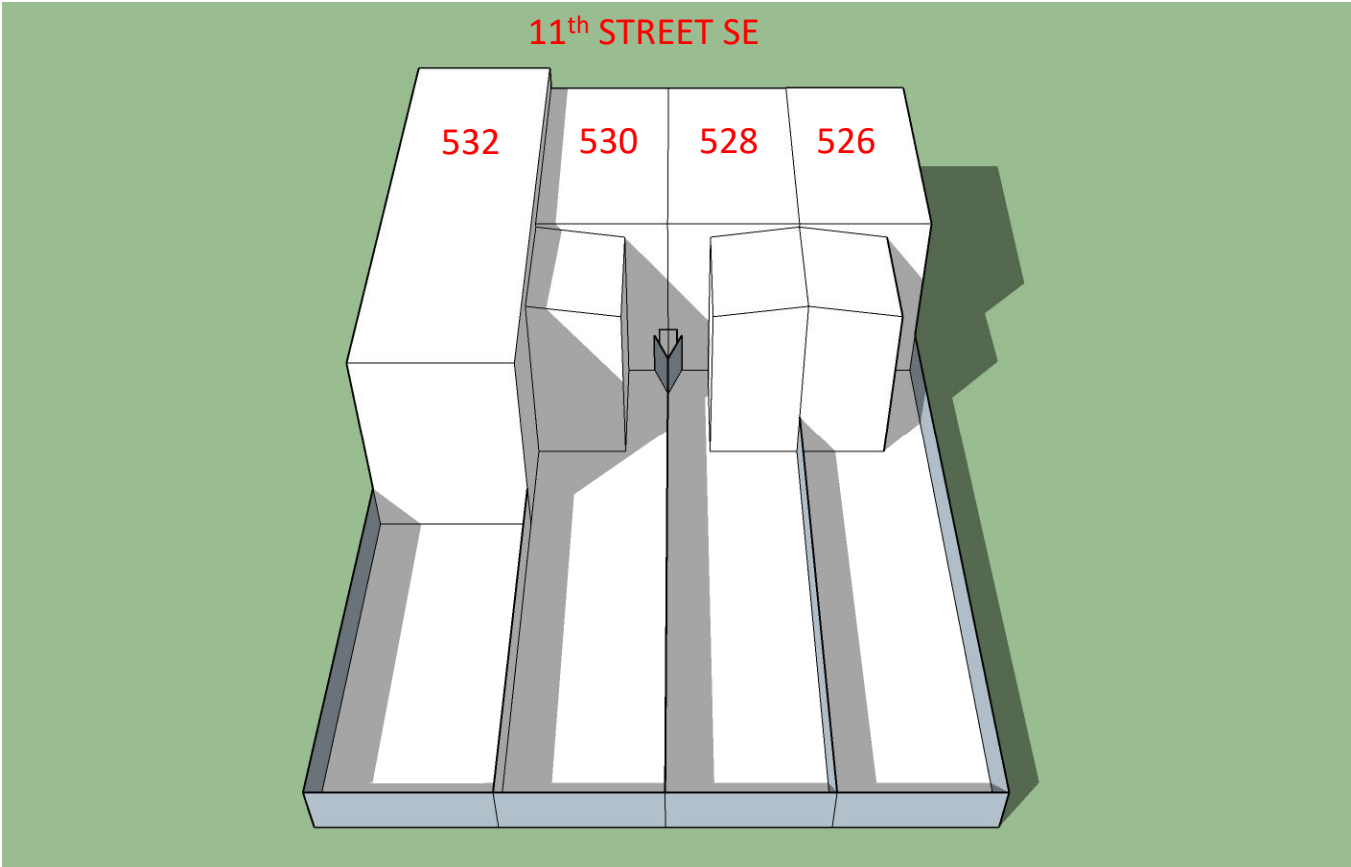


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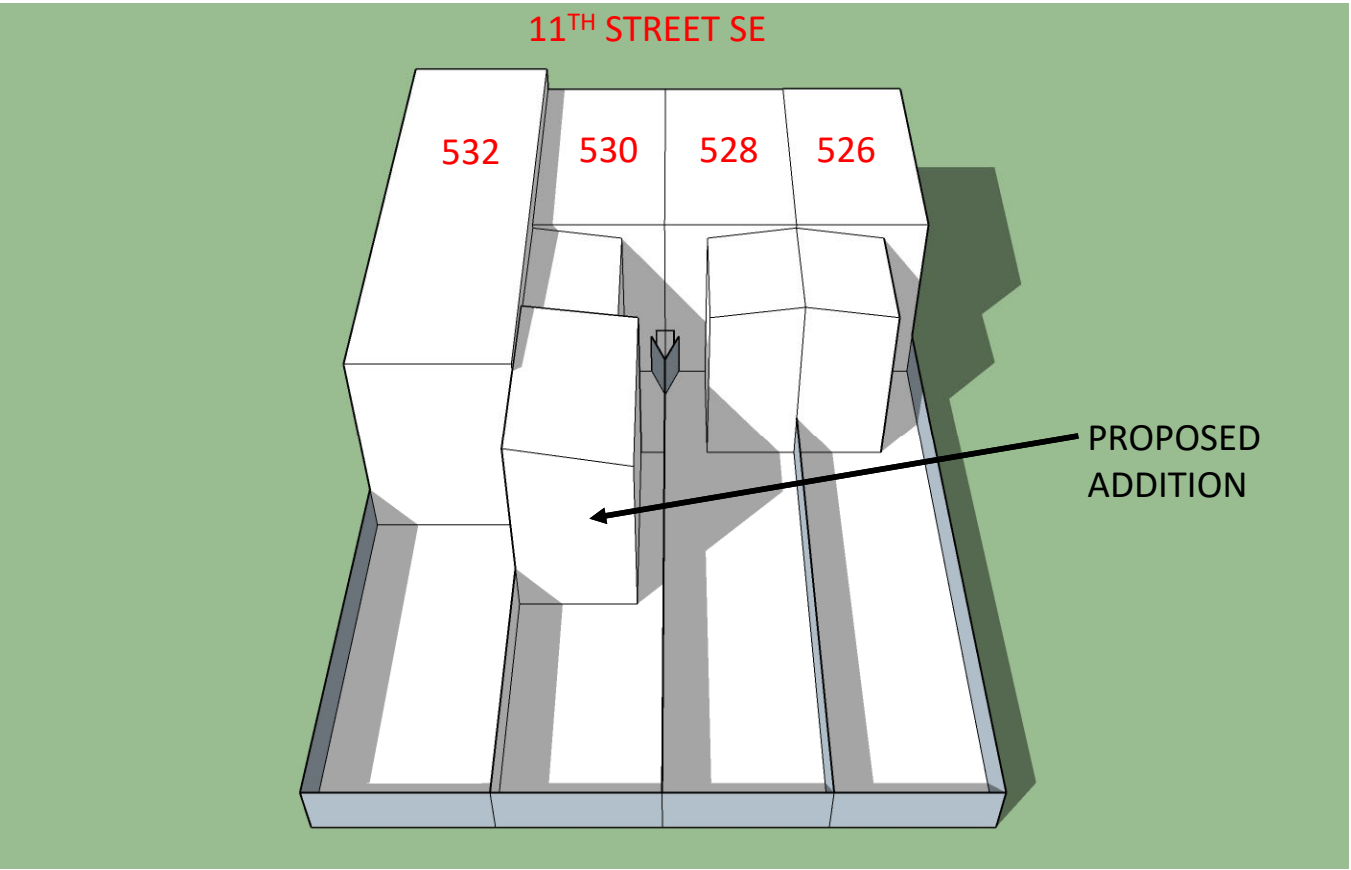


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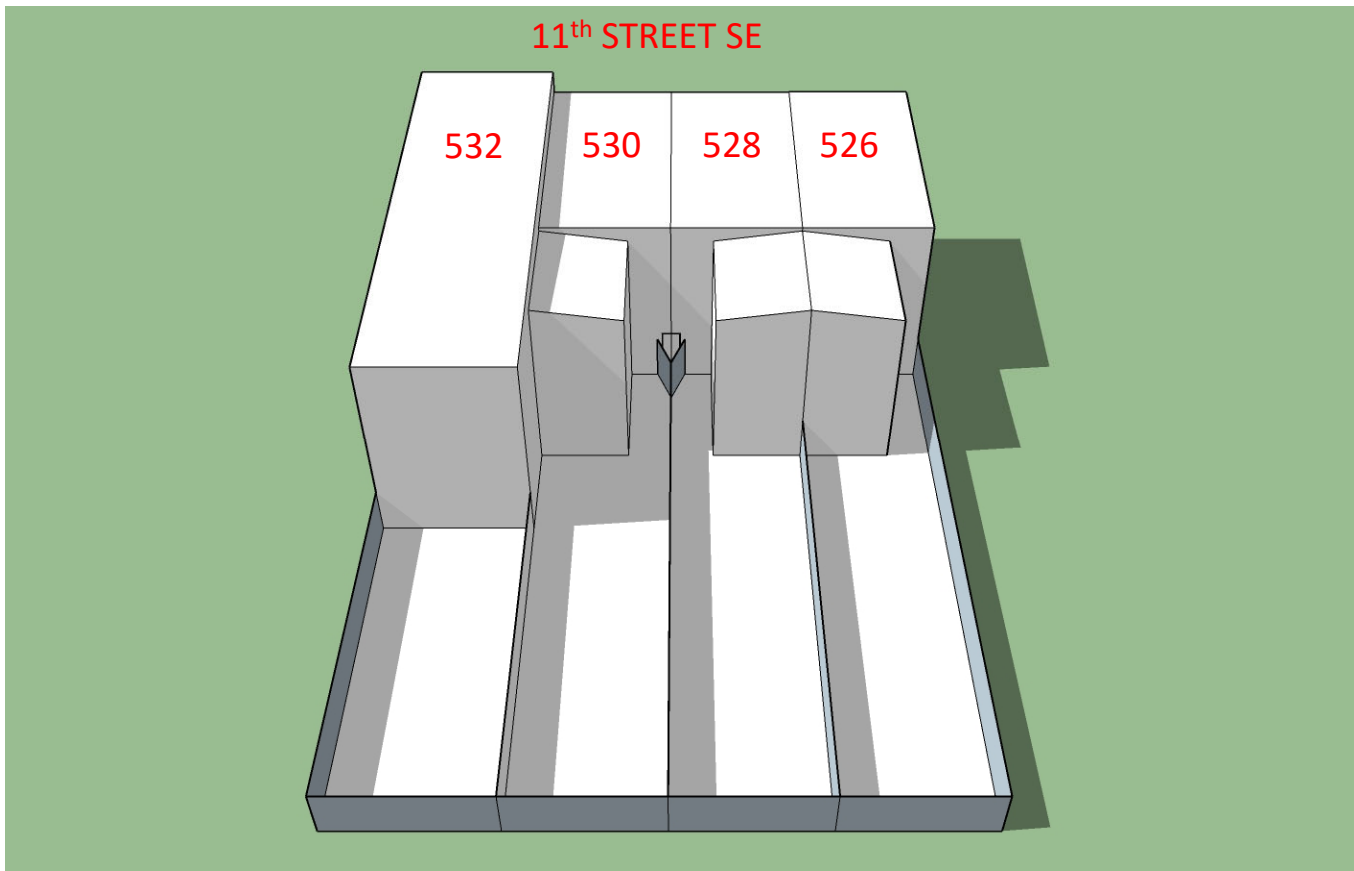
530 11TH Street SE SUN STUDY



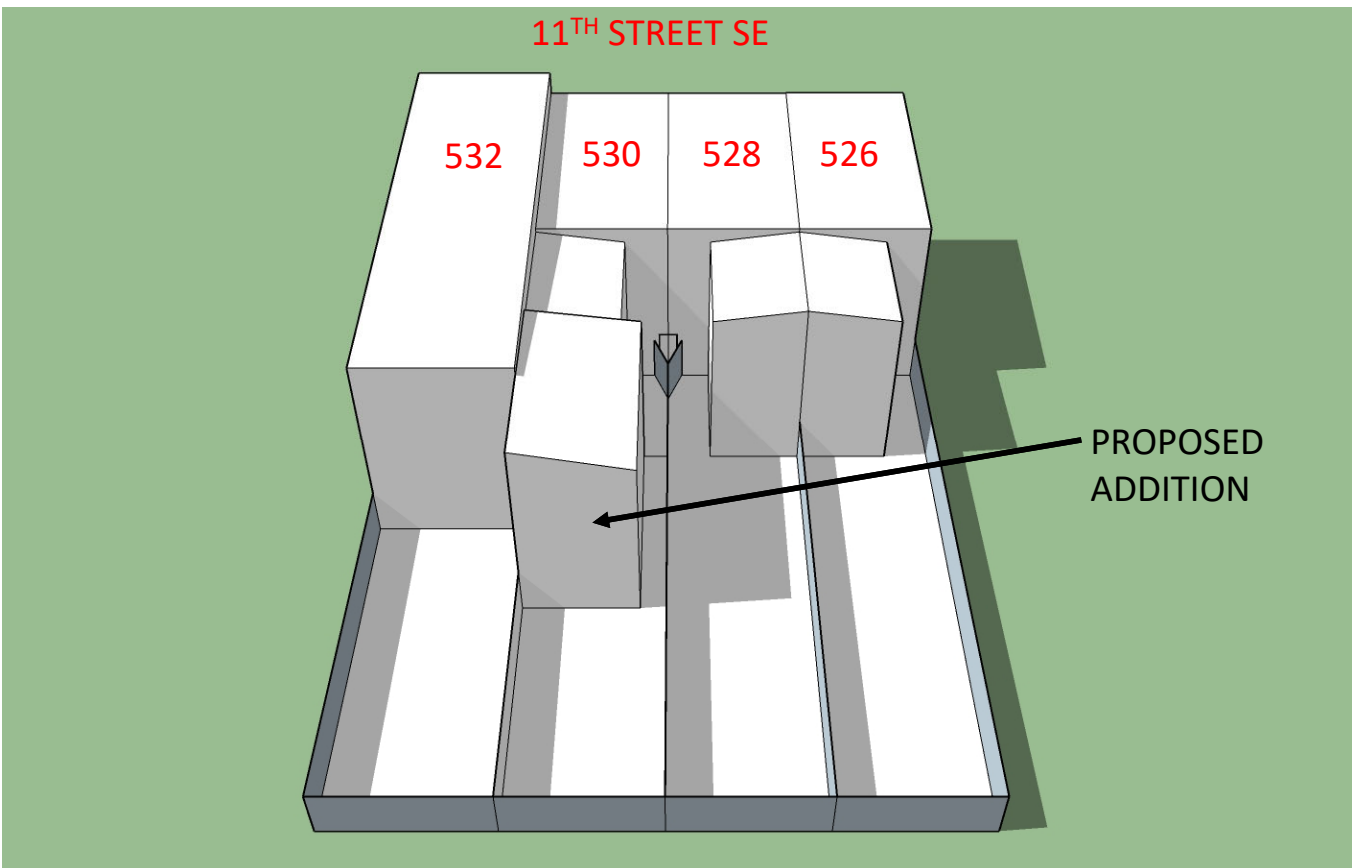
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March/September 21st 10:00 AM **PROPOSED** **530 11th Street SE** SUN STUDY

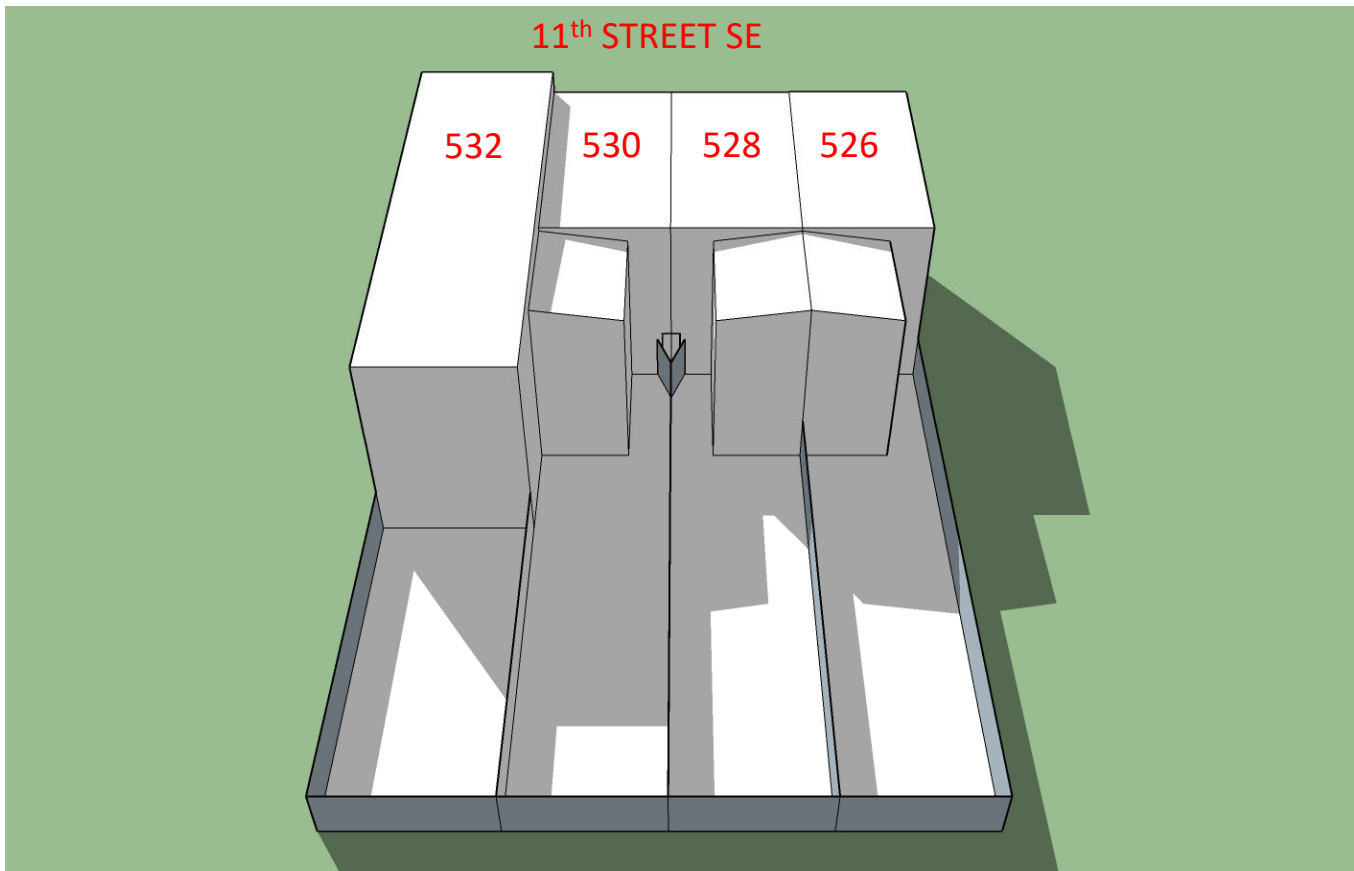


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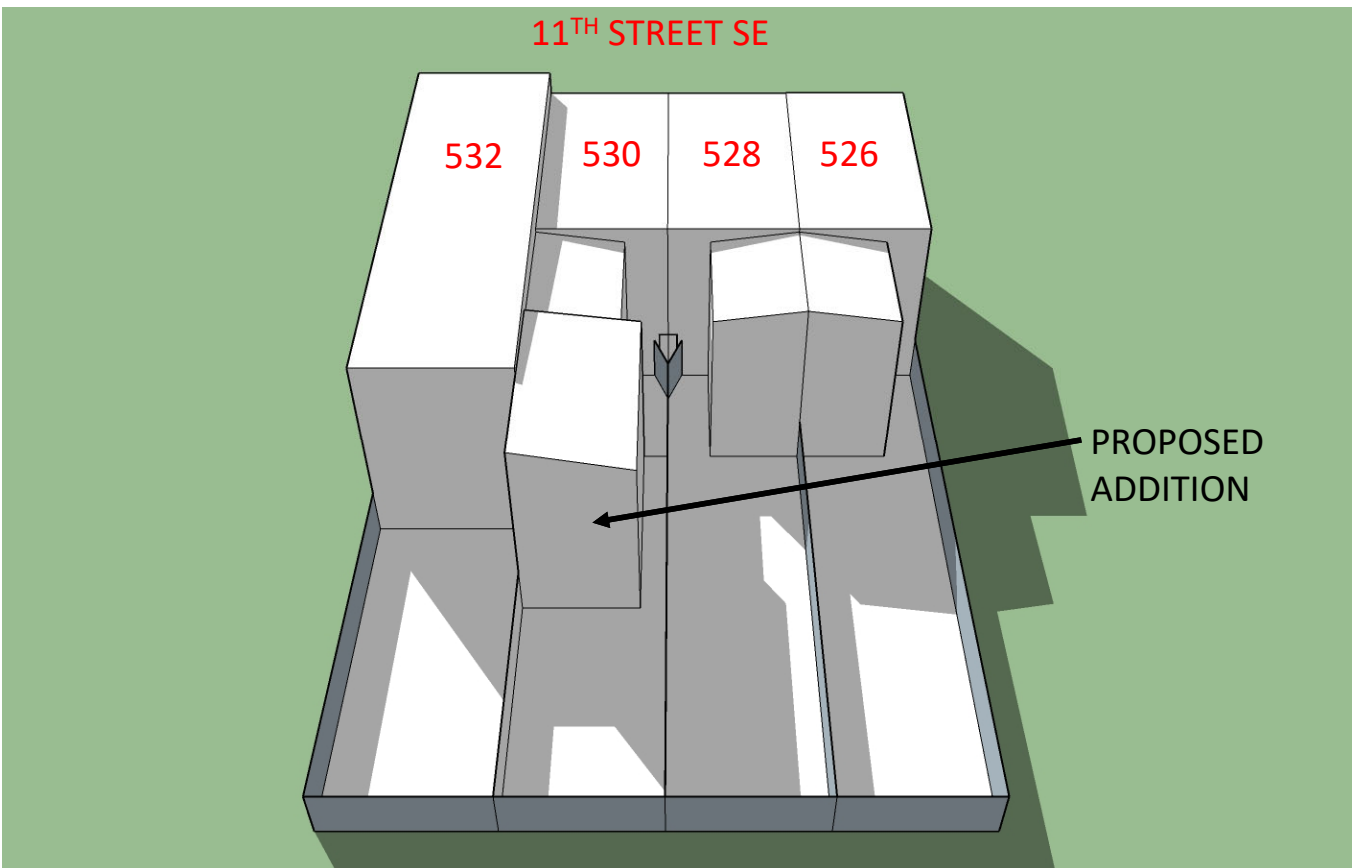


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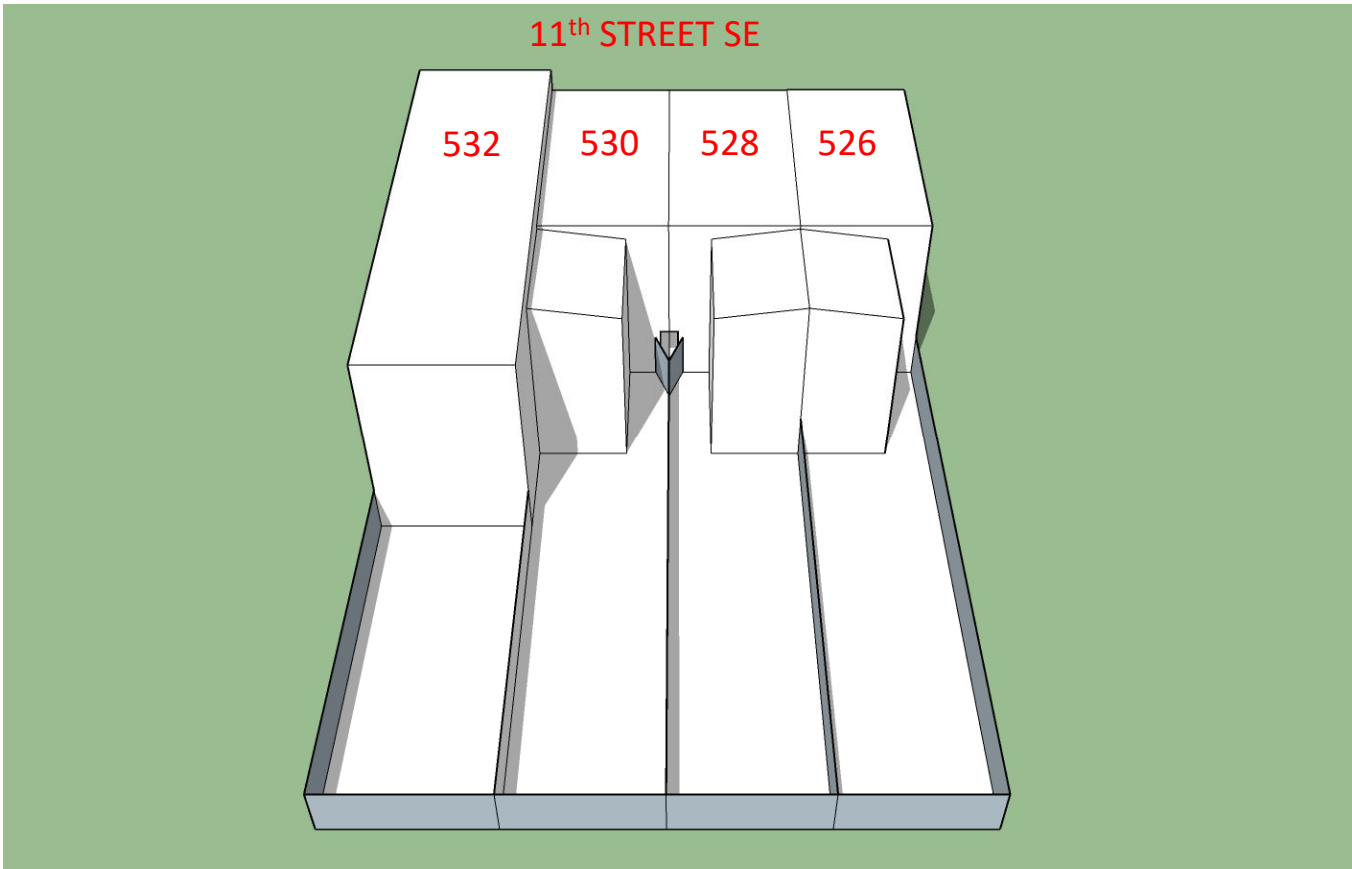


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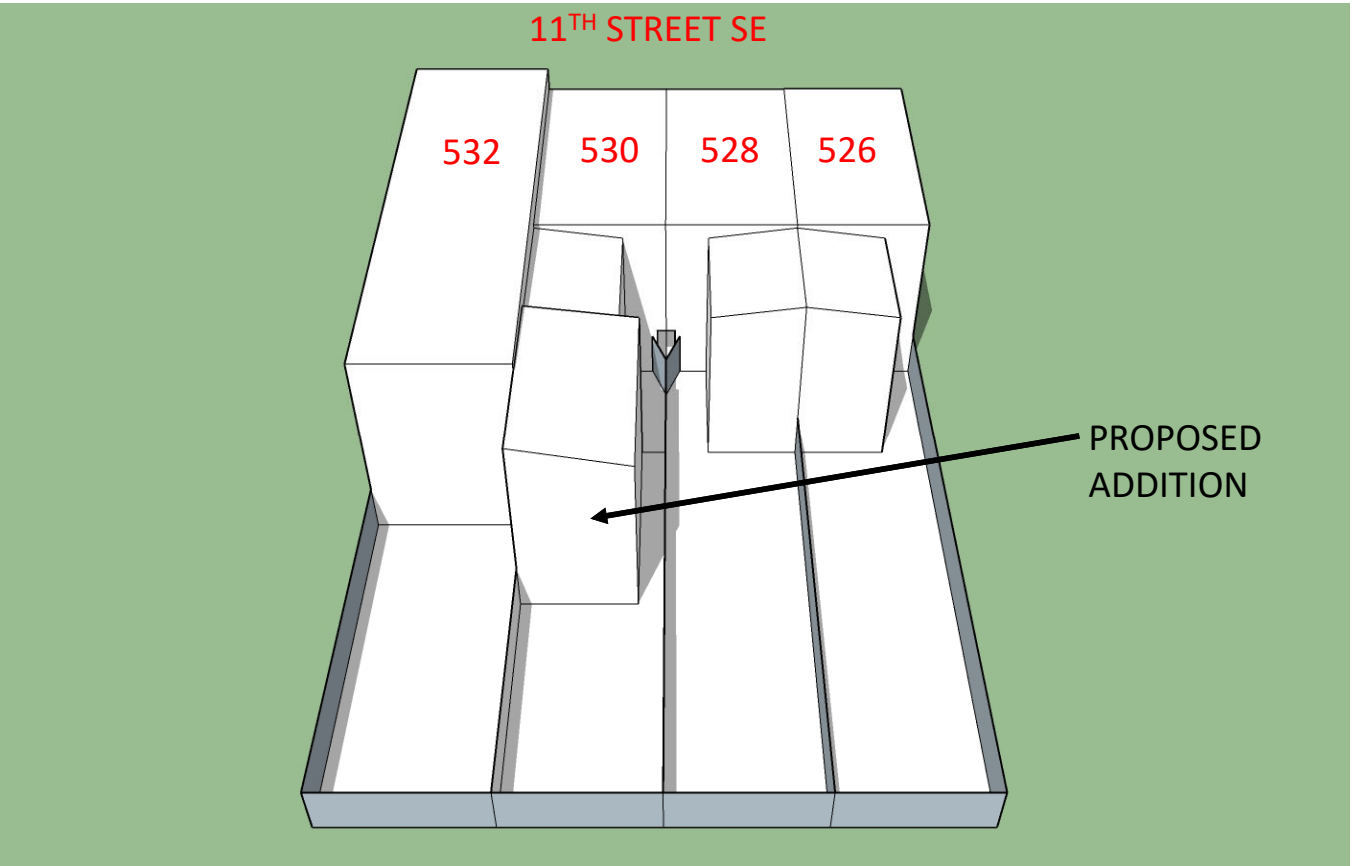


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530 11th Street SE SUN STUDY

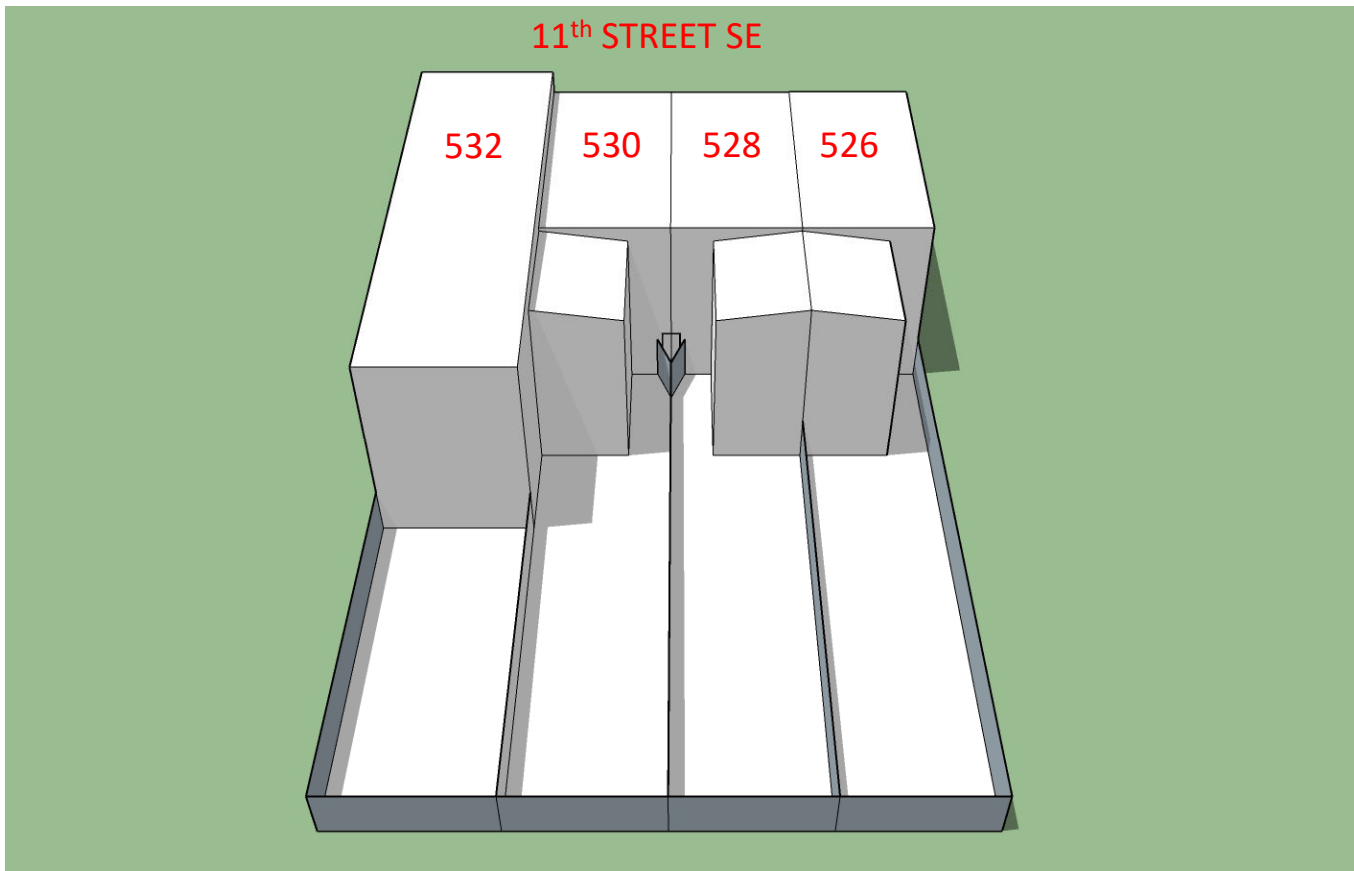


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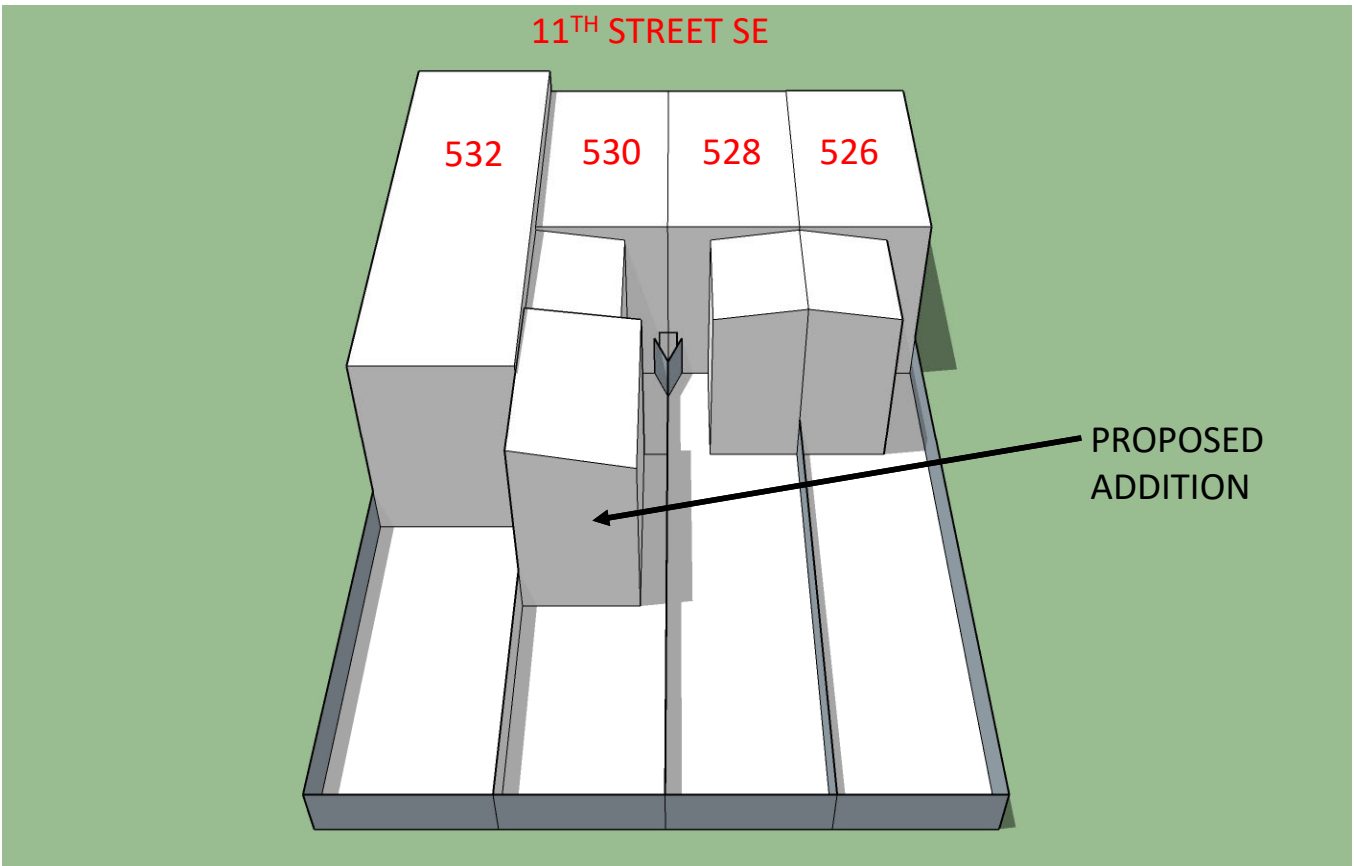


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530 11th Street SE SUN STUDY

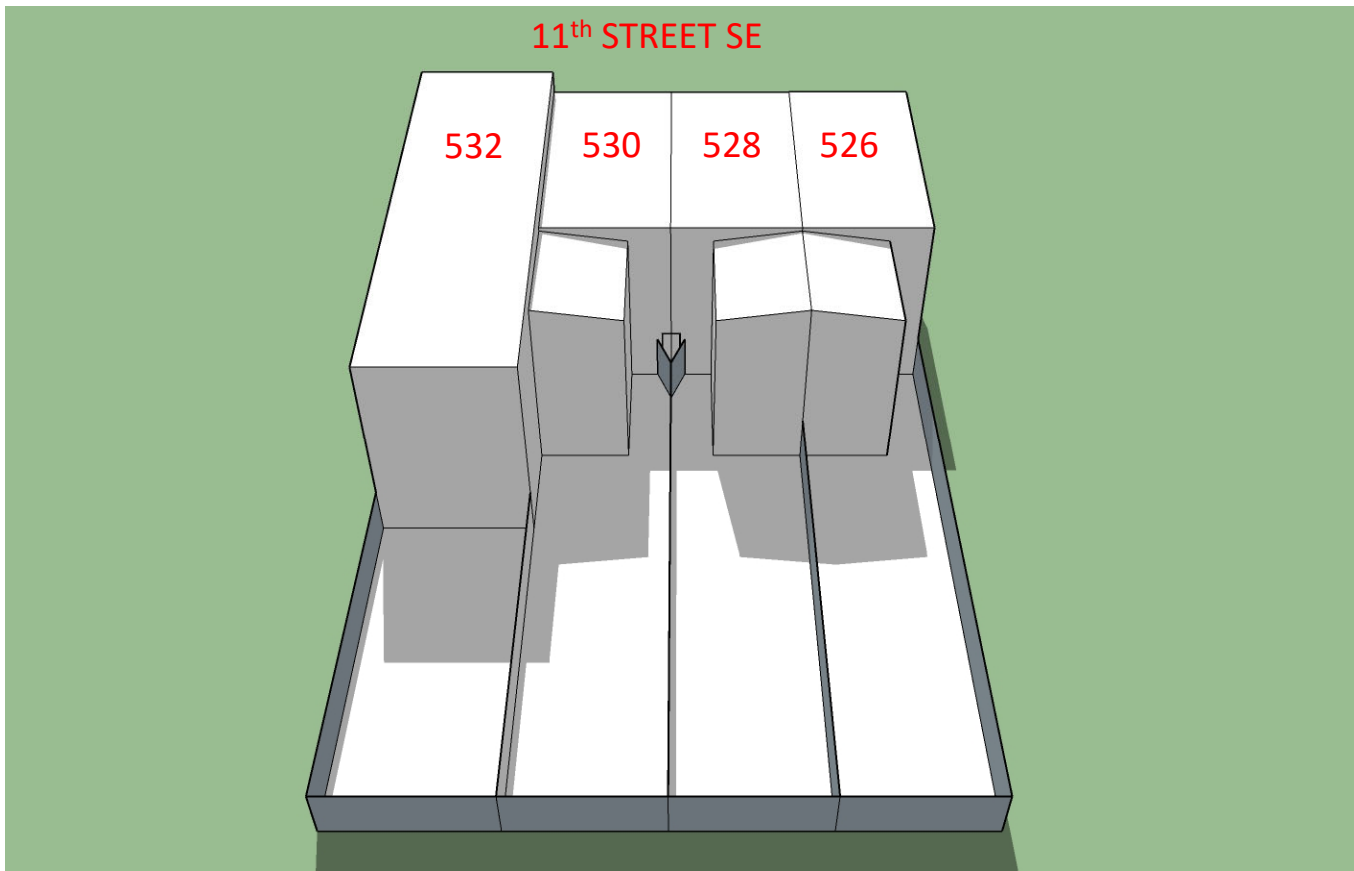


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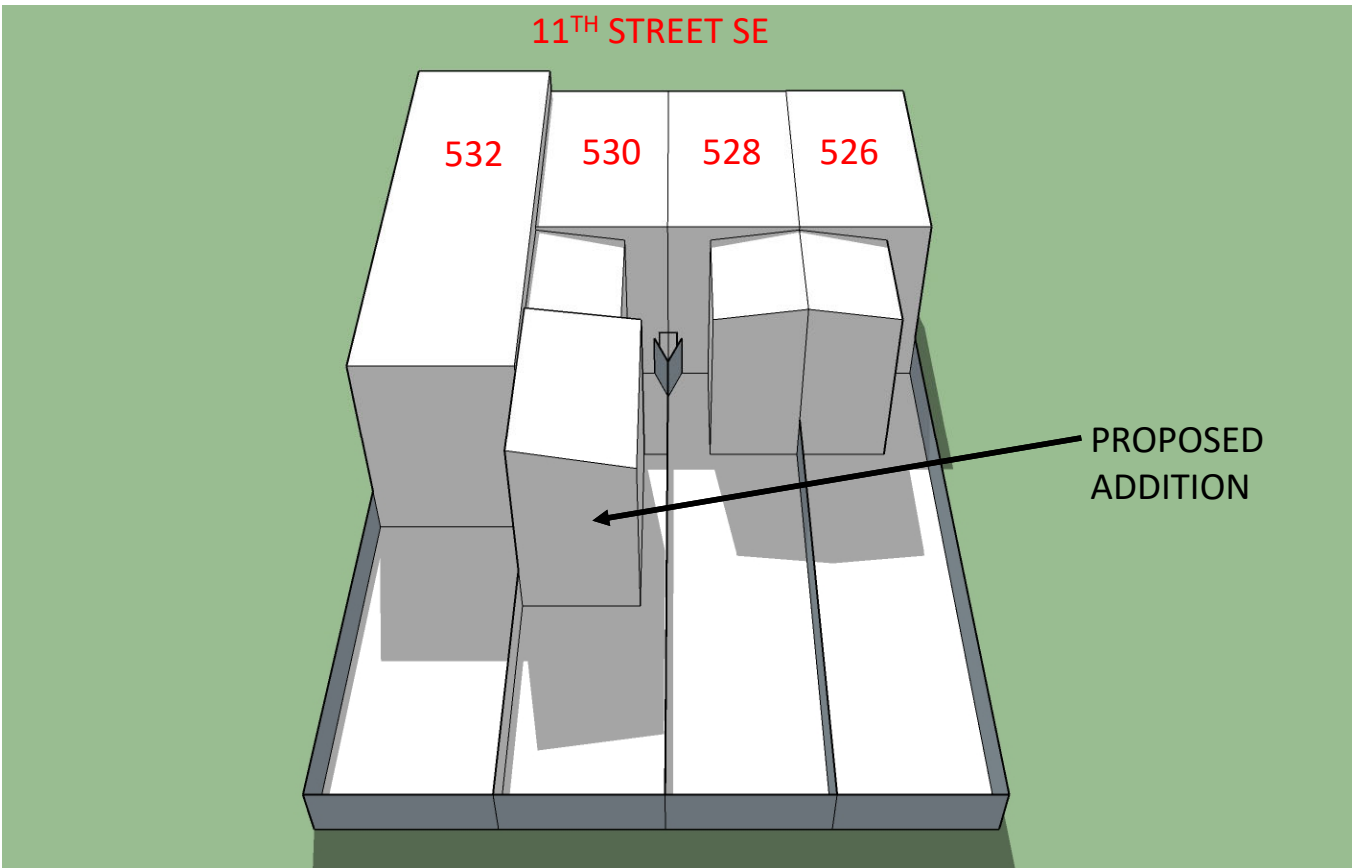


June 21st 12:00 PM **PROPOSED**

530 11TH Street SE SUN STUDY



June 21st 3:00 PM **EXISTING**



June 21st 3:00 PM **PROPOSED**

530 11TH Street SE SUN STUDY