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1419 Perry Place NW, Washington DC 20010

**Burden of Proof**  
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May 21, 2019

Board of Zoning Adjustment  
Government of the District of Columbia  
Suite 210 South  
441 4th St NW  
Washington, DC 20001

Re: BZA Zoning Application  
Anna-Louisa Yon + Edwin Darilek  
323 5th St. SE

To Whom It May Concern,

The following analysis demonstrates how the proposed 2-story addition will be in harmony with the general purpose and intent of the Zoning regulation and Zoning Maps as evaluated against the criteria of Subtitle E 5201.3 through 5201.6:

*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;*

The property to the south (325 5th St SE) of the proposed addition consists of a 1-story addition plus 2nd story deck. Because this southern neighbor's addition and 2nd story deck are on the south side of the proposed addition, the proposed addition will not block the optimal southern daylighting exposure to the upper story deck or any windows. The other neighboring property to the north (321 5th St SE) consist of a covered porch in line with the proposed addition. There will be 5 ft. of space between the north neighbor's covered porch and the northern-most wall of the proposed addition; this 5 ft. will allow light penetration through to their deck.

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

There are no windows on the south wall of the proposed addition. Neighbors directly south will have privacy as a result. The proposed addition sits back 2 ft from the face of the southern neighbor's rear addition which allows views out from their 2nd story deck. There are minimal windows on the north side; three (3) narrow, rectangular windows in total are setback 5 ft. from the property line. The neighbor to the north already utilizes outdoor curtains/screens on the south side of their covered porch to provide privacy. The window and door openings in the rear (west) facade of the proposed addition are similar to other openings on the block as shown on the concept package axon.

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*(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;*

There is no alley in this block and the proposed addition does not exceed the height of the existing building, so it is not possible to view the proposed addition from any public way. The proposed brick addition responds to the character and prevalent material of the existing 2-story homes and their respective additions, where applicable, in the neighborhood and within the block.

*(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.*

Drawings have been provided to represent the relationship of the proposed addition to the adjacent buildings from public ways.

*(e) The Board of Zoning Adjustment may approve lot occupancy of all new and existing structures on the lot up to a maximum of seventy percent (70%)*

The proposed lot occupancy would be 55.8%, which would not exceed the maximum permitted lot occupancy of 60%.

*5201.4 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.*

The applicant is open to any comments or suggestions regarding special treatment suggested by the BZA in the way of design, screening, building materials, or otherwise.

*5201.5 This section shall not be used to permit the introduction or expansion of a nonconforming use as a special exception.*

The applicant is currently using and proposes to continue to use the row building for a single household dwelling, which is permitted in RF-1 zone.

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*5201.6 This section shall not be used to permit the introduction or expansion of nonconforming height or number of stories as a special exception.*

The proposed addition height is 26' -9" and 2-stories. This height conforms to the Zoning regulations and matches the height of the existing building.

We look forward to the opportunity to discuss this material together in person in the near future. Should you have any comments or questions, please do not hesitate to reach out directly.

Thank you in advance for your consideration.

Best,



Lindsey May  
Principal, Studio Mayd PLLC  
Registered Architect, Washington, DC; Maryland