

Burden of Proof Special Exception Application

30 November 2021

D.C. Board of Zoning Adjustment
441 4th Street, NW, Suite 210S
Washington, DC 20001

RE: Application for Special Exception Relief for 4511 Chesapeake Street NW (Square 1570 Lot 0030) – Permit Number B1908048 – Statement of Existing and Intended Use.

Dear Members of the Board:

Valerie and Nicholas Alten, owners of 4511 Chesapeake Street NW, hereby apply for zoning relief to construct a garage with a domestic help suite above, by authorization of Subtitle X, Chapter 9 per the provisions and requirements of Subtitle D, Sections 5003 and 5201. The aspects of the proposed project that fall outside the current zoning regulations are as follows:

The proposed accessory dwelling is 660 square feet and that exceeds the allowed of 450 square feet (11 DCMR Subtitle D, Section 5003.1).

The existing house and ADU will occupy 28% of the lot coverage and that falls below the 50% required. The garage will be 12' from the center of the rear alley and will be 8' from the neighbors yard and 10' from the side alley. (11 DCMR Subtitle D, Section 5201.2 (b)).

I. Summary

A. This special exception qualifies under 11 DCMR Subtitle D, Section 5201 because the lot occupancy does not exceed 50% and the garage will not unduly affect the light and air available to neighboring properties, nor will it have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property. The property has alley on two sides (east and north).

B. The proposed garage will be a complementary character and style to the existing houses and garages in the neighborhood.

II. Basis for Grant of Special Exception

Subtitle D, Section 5201 provides relief based on satisfying specific criteria under which additions may be permitted within the R-1-B zone as a Special Exception as follows:

1. a) *The light and air available to neighboring properties shall not be unduly affected.*

There is an existing garage placed at an angle (the NE corner is chopped off to allow for a turning radius for the city garbage trucks. There is an alley on the east and north sides of the property. The west side neighbor has a garage in the rear yard in a similar location. The proposed garage is squared with the property and the depth from the rear property line will be 2' more into the rear yard than it currently is.

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

The proposed garage will not unduly compromise the privacy or enjoyment of the neighbors. As noted above, there is an existing garage located in the approximate same place as the proposed garage. At the

"intersection of the alley all the neighbors have garages or fences. The property on the western property line at 4515 Chesapeake 8 has dense vegetation between the two yards.

- 3. c) *The addition, together with the original building, as viewed from the street alley or other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage.*

The proposed garage will be designed in materials common to single-family homes and garages and specifically in the architectural vocabulary of the existing home. The proposed garage will be visible from the alley and minimally visible above the existing vegetation that will remain.

Subtitle X, Chapter 9 – 901.2

This Special Exception satisfies the The Board of Zoning Adjustment review standards.

- a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;

The new garage/ADU will be used as allowed for in the Zoning regulations. The only difference is the garage extends into our yard approximately 9.5' deeper.

- b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps.

There only one (1) neighbor adjoining the property on the western side. The other two sides are the public alley. The neighbor has an existing garage and because of the side setbacks of the design our garage is 8' 0" from the property line. Currently there is tall vegetation the length of the property line and future plans are to install a fence to screen the garage.

- c) Will meet such special conditions as may be specified in this title.

The proposed garage will be designed in materials common to single-family homes and garages and specifically in the architectural vocabulary of the existing home. The proposed garage will be visible from the alley and minimally visible above the existing vegetation that will remain.

Please refer to the drawings for the size, scale and detail notes pertaining to the design of the proposed addition.

Respectfully submitted,



Valerie Alten



Nicholas Alten