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Office of Zoning
Board of Zoning Adjustment

441 4th Street, NW
Suite 200-S
Washington, D.C. 20001

Re: Burden of Proof – 5110 Kansas Ave NW, Washington, DC

Dear Board of Zoning Adjustment:

I am writing in regard to my application for a Special Exception to DC Zoning Regulations for 5110 Kansas Ave NW. I would like to build a small deck with stairs in my backyard. Currently there are no deck or stairs, and the new structure would meet the requirements of D-5201.3:

- (a) The backyard daylight would be minimally impacted. 5108, 5110, and 5112 get indirect morning light. The afternoon sunlight of 5108 would be unobstructed by the new deck. (Fig. 2 and Fig. 4) 5112 and 5110 have considerable shade from large trees, and the new deck would make minimal shade on the back stairs of 5112. (Fig. 1 and Fig. 3)
- (b) All three back yards of 5108, 5110, and 5112 do not have privacy fencing. The new deck would not change the openness of the yards. Neither neighbor has a concern with the deck compromising privacy or use of their properties. (Figs. 1, 4, 6, and Statement from Neighbors)
- (c) The deck is small -- it is the same size as a typical front porch in the neighborhood. The small size and abundant trees mostly prevent the deck from being seen from the alley. (Figs. 2, 3, and 5) And, of course, does not impact the visual front of the home in any way.
- (d) See Figs. 1-6
- (e) The new deck and stairs will bring the lot occupancy rate to 66.2%, less than the 70% maximum permitted lot occupancy for R-3.

The deck will be quietly used by me and my spouse for relaxing and dining under the magnificent shade of our trees.

Please feel free to contact me at 202-269-5523 or garymike@garymike.com with questions.

Sincerely,



Gary Lesinski



Fig. 1





