

**DETAILED STATEMENT OF EXISTING AND INTENDED USE**

DATE: 03 October 2014

TO: **Board of Zoning Adjustment  
of the District of Columbia**  
c/o Office of Zoning  
441 4th Street, N.W.  
Suite 200-S, Washington, DC 20001

REGARDING: **Application for Special Exception**  
Proposed Rear Addition to Existing Single Family Row Dwelling

SUBJECT PROPERTY: 4430 9th Street, NW / Lot 33, Square 3020  
Property Zoned R-3

**STATEMENT:**

**GENERAL**

Brandon and Emily Gallas, property owner's of 4430 9th Street, N.W., request a Special Exception pursuant to § 223.1 to permit a rear addition to an existing Single Family Row Dwelling that will vary from the rear yard requirement by 2 feet per § 404.1; and will vary from maximum lot occupancy requirement by 10% per § 403.2 in the R-3 residential zone district (§ 3104.1). Self Certified.

**EXISTING USE OF PROPERTY/BUILDING**

The subject property's existing use is as a single family row dwelling, currently occupied by the applicants Brandon and Emily Gallas.

**INTENDED USE OF PROPERTY/BUILDING**

The intended use of the subject property is as a single family row dwelling, to be occupied by the applicants Brandon and Emily Gallas.

**DETAILED STATEMENT ADDRESSING “BURDEN OF PROOF”**

DATE: 03 October 2014

TO: **Board of Zoning Adjustment  
of the District of Columbia**  
c/o Office of Zoning  
441 4th Street, N.W.  
Suite 200-S, Washington, DC 20001

REGARDING: **Application for Special Exception**  
Proposed Rear Addition to Existing Single Family Row Dwelling

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Property Zoned R-3

**STATEMENT:**

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**SPECIAL EXCEPTION / 3104.1 GENERAL STANDARDS**

The proposed single family dwelling meets the special exception requirements pursuant to Sec. 3104.1 as follows:

- 1) **The proposed special exception will be consistent with the general intent and purpose of the Zoning Regulations and Map.**
  - a) The proposed single family row dwelling use is not changed from the existing and is consistent with the Zoning Regulations and the Zoning Map (R-3).
  - b) The proposed building height of 31 feet / 3 stories is consistent with the Zoning Regulations and the Zoning Map (40 ft. / 3 stories).
  - c) The proposed lot occupancy including the addition will comply with the lot occupancy as allowed under §223.3 (70%). *Note that the lot is undersized (1300 s.f.) from the standards of the zone (2000 s.f. for row dwellings).*

DETAILED STATEMENT ADDRESSING “BURDEN OF PROOF”  
PAGE 2 OF 4

- d) While the proposed rear yard is reduced by 2 feet from the minimum required 20 feet, the property is in the northern most and eastern most portion of Square 3020, and hence the impact on the adjoining properties will be minimal in terms of shadows cast. Additionally, being a corner lot with a large green area in public space to the North, the impact is further reduced.
- e) Attached to this statement are thirteen letters from neighboring property owners, and tenants, in support of the proposed addition. Including the abutting property owner to the South. The support of the signatories, indicates that they feel that the use of their properties will not be adversely affected by the proposed addition, which is a primary intent of the Zoning Regulations and Map.

**We have here demonstrated consistency with the general intent and purpose of the Zoning Regulations and Map.**

**2) Allowing the proposed use will not adversely affect the use of the neighboring property.**

- a) The proposed single family row dwelling use is consistent with the neighboring properties which are a mixture of row dwellings and semi-detached dwellings (R-3).
- b) Attached to this statement are thirteen letters from neighboring property owners, and tenants, in support of the proposed addition. Including the abutting property owner to the South. The support of the signatories, indicates that they feel that the use of their properties will not be adversely affected by the use of the proposed addition.

**We have here demonstrated that the proposed use will not adversely affect the use of the neighboring property.**

SPECIAL EXCEPTION / 223.2 STANDARDS

The proposed single family dwelling meets the special exception requirements pursuant to Sec. 223.2 as follows:

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

- a) The neighboring property directly to the South (Lot 34) of the proposed addition shares a common party wall and hence the light and air of that property will not be adversely impacted. *Note: that neighbor has obtained a permit for a third floor addition, the construction of which is underway.*
- b) The property to the East is a semi-detached dwelling, which has a side yard abutting the subject property. This adds an additional buffer for light and air. Further, the third floor addition on lot 33, being constructed as a matter of right, will over-shadow any significant impact of the addition on the subject property to lot 33.
- c) Attached to this statement are thirteen letters from neighboring property owners, and tenants, in support of the proposed addition. Including the abutting property owner to the South. The support of the signatories, indicates that they feel that the light and air available to their properties will not be adversely affected by the proposed addition.

**We have here demonstrated that the light and air available to neighboring properties shall not be unduly affected.**

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

- a) The neighboring property directly to the South (Lot 34) of the proposed addition shares a common party wall and hence the privacy of use and enjoyment of that property will not be adversely impacted.
- b) The property to the East is a semi-detached dwelling, which has a side yard abutting the subject property. This adds an additional buffer for privacy.
- c) Attached to this statement are thirteen letters from neighboring property owners, and tenants, in support of the proposed addition. Including the abutting property owner to the South. The support of the signatories, indicates that they feel that the privacy of use and enjoyment of their properties will not be adversely affected by the proposed addition.

**We have here demonstrated that the privacy of use and enjoyment of neighboring properties shall not be unduly compromised.**

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

- a) The proposed addition recedes from the wall line along the Alison Street facade, keeping the overall massing of the house in scale with the neighboring dwellings.
- b) While the Matter of right third floor addition - which is proposed to be built simultaneously with the subject rear addition - forms a mansard floor above the existing portion of the house, the rear addition steps down to a more subservient massing which is common of many additions in the neighborhood.
- c) Windows of the proposed addition are designed in scale and proportion with the existing windows of the house and the neighboring dwellings.

**We have here demonstrated that the addition, together with the original building, as viewed from the street, alley, and other public way, will not substantially visually intrude upon the character, scale and pattern of houses along the street frontage.**

**4) 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 to adjacent buildings and views from public ways.**

DETAILED STATEMENT ADDRESSING “BURDEN OF PROOF”  
PAGE 4 OF 4

- a) Refer to attached DC Surveyor’s Plat, Dated 03 October 2014.
- b) Refer to attached Architectural Drawings (sheets A-1, A-2, A-3, A-4, MD-1, MD-2 MD-3 and MD-4) for plans and elevation drawings, Dated 03 October 2014.
- c) Refer to attached Aerial Photograph (1 sheet).
- d) Refer to attached Property Photographs (3 sheets).
- e) Refer to attached Context Photographs (3 sheets).

**We have here demonstrated the use of plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways.**

**LETTERS FROM NEIGHBORS**

DATE: 03 October 2014

TO: **Board of Zoning Adjustment  
of the District of Columbia**  
c/o Office of Zoning  
441 4th Street, N.W.  
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**LETTERS FROM NEIGHBORS**

Brandon and Emily Gallas, property owner's of 4430 9th Street, N.W., presented drawings of the proposed project to various neighbors and have obtained thirteen letters of support for the approval and construction of their project, addressed to Shanel Anthony, Chairperson, Advisory Neighborhood Commission 4C. The majority of the letters are from Property Owners, while a few appear to be tenants.

**CLARIFICATION OF DRAWING DATES**

The letters from neighbors reference a drawing date of 24 June 2014, while the actual date of the drawings that the neighbors were presented was 31 July 2014. A copy of an email from Brandon Gallas, attached here to, explains the discrepancy. A copy of the 31 July 2014 drawings are attached as well, for reference. These drawings vary slightly from the more current 03 October 2014 drawings in minor ways, but not as related to the zoning relief sought.

Advisory Neighborhood Commission 4C  
801 Shepherd Street NW  
Washington DC 20011  
Tel: (202) 723-6670  
E-mail: [4C@anc.dc.gov](mailto:4C@anc.dc.gov)

**To ANC 4C07 Commissioner Shanel Anthony**

Brandon and Emily Gallas, the owners of the house at 4430 9<sup>th</sup> St NW, have presented drawings of a proposed addition to the back of their house and conversion of the third floor attic to a living space with a walkout balcony in the back. The drawings are as prepared by Ahmann LLC, Architectural Services, and are dated 24 June, 2014.

The Gallases have indicated that the addition as proposed requires Special Exception from DC Zoning Regulations, which they intend to pursue.

I have reviewed the drawings and I support the approval and construction of this project.

Sincerely,



Printed Name & Date

Kimyia F. Varzi 9/8/14.

Owners at

822 Allison St. N.W. (gm B Allison).  
WASHINGTON DC 20011

Advisory Neighborhood Commission 4C  
301 Shepherd Street NW  
Washington DC 20011  
Tel: (202) 723-6670  
E-mail: [4C@anc.dc.gov](mailto:4C@anc.dc.gov)

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I have reviewed the drawings and I support the approval and construction of this project.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Ellie Stamatopoulos', with a long horizontal flourish extending to the right.

*Ellie Stamatopoulos 9/3/14*  
Printed Name & Date

Owners at *827 Allison Street, NW*  
*Washington, DC 20011*



9/2/2014

Jenn Rogers and Martyn Oliver  
831 Allison Street NW  
Washington DC 20011

Advisory Neighborhood Commission 4C  
801 Shepherd Street NW  
Washington DC 20011  
Tel: (202) 723-6670  
E-mail: [4C@anc.dc.gov](mailto:4C@anc.dc.gov)


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I have reviewed the drawings and I support the approval and construction of this project.

Sincerely,

Handwritten signatures of Jennifer Rogers and Martyn A. Oliver. The signature of Jennifer Rogers is on the left, and the signature of Martyn A. Oliver is on the right, with a small 'x' mark between them.

Jenn Rogers and Martyn Oliver  
Owners of 831 Allison Street NW

8/25/14

Friends of the Gallases

Somewhere near the gallases

Near 9<sup>th</sup> & Allison

Washington DC 20011

Advisory Neighborhood Commission 4C

801 Shepherd Street NW

Washington DC 20011

Tel: (202) 723-6670

E-mail: [4C@anc.dc.gov](mailto:4C@anc.dc.gov)

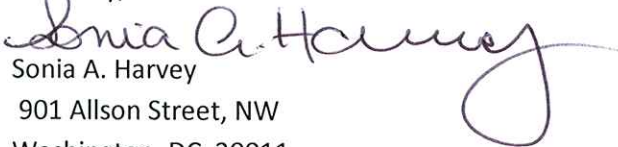
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I have reviewed the drawings and I support the approval and construction of this project.

Sincerely,

  
Sonia A. Harvey  
901 Allison Street, NW  
Washington, DC 20011

8/25/14

Deepa Shukla  
4418 9<sup>th</sup> St. NW  
Washington, D.C. 20011

Advisory Neighborhood Commission 4C  
801 Shepherd Street NW  
Washington DC 20011  
Tel: (202) 723-6670  
E-mail: [4C@anc.dc.gov](mailto:4C@anc.dc.gov)

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The Gallases have indicated that the addition as proposed requires Special Exception from DC Zoning Regulations, which they intend to pursue.

I have reviewed the drawings and I support the approval and construction of this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'D Shukla', with a long horizontal flourish extending to the right.

Deepa Shukla  
Owner of 4418 9<sup>th</sup> St. NW, Washington, D.C. 20011

8/25/14

Christopher Torchia  
4418 9<sup>th</sup> St. NW  
Washington, D.C. 20011

Advisory Neighborhood Commission 4C  
801 Shepherd Street NW  
Washington DC 20011  
Tel: (202) 723-6670  
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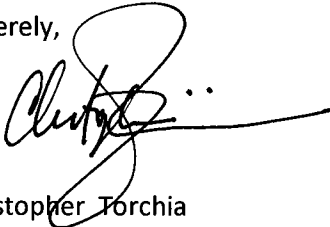
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The Gallases have indicated that the addition as proposed requires Special Exception from DC Zoning Regulations, which they intend to pursue.

I have reviewed the drawings and I support the approval and construction of this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christopher Torchia', with a long horizontal flourish extending to the right.

Christopher Torchia  
Owner of 4418 9<sup>th</sup> St. NW, Washington, D.C. 20011

09/03/14

Jason Hagen and Pilar Velásquez  
4420 9<sup>th</sup> St. NW  
Washington, DC, 20011

Advisory Neighborhood Commission 4C  
801 Shepherd Street NW  
Washington DC 20011  
Tel: (202) 723-6670  
E-mail:


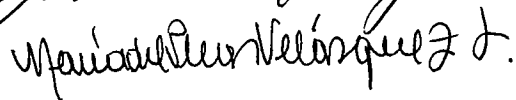
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The Gallases have indicated that the addition as proposed require Special Exception from DC Zoning Regulations, which they intend to pursue.

We have reviewed the drawings and we support the approval and construction of this project.

Sincerely,

 09.03.2014  
 9.03.2014

Jason Hagen and Pilar Velásquez  
Owners of 4420 9<sup>th</sup> St. NW

9/1/2014

Katie and Scott Freeman  
(Friend of the Gallases)  
4421 9<sup>th</sup> st NW  
Washington DC 20011

Advisory Neighborhood Commission 4C  
801 Shepherd Street NW  
Washington DC 20011  
Tel: (202) 723-6670  
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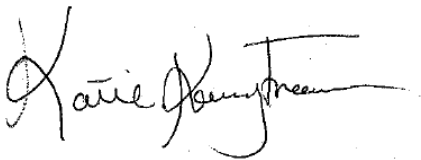
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The Gallases have indicated that the addition as proposed requires Special Exception from DC Zoning Regulations, which they intend to pursue.

We have both had the chance to discuss these changes in depth with the Gallases and review the drawings, and we support the approval and construction of this project.

Best,

A handwritten signature in black ink, appearing to read "Katie Kennedy Freeman". The signature is fluid and cursive, with the first name "Katie" being the most prominent.

and

A handwritten signature in black ink, appearing to read "Scott Freeman". The signature is more compact and stylized than the one above it, with the first name "Scott" being the most prominent.

Katie Kennedy Freeman and Scott Freeman  
Owners of 4421 9<sup>th</sup> st NW, Washington DC, 20011

Advisory Neighborhood Commission 4C  
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Washington DC 20011  
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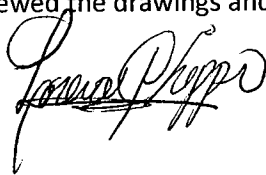
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The Gallases have indicated that the addition as proposed requires Special Exception from DC Zoning Regulations, which they intend to pursue.

I have reviewed the drawings and I support the approval and construction of this project.

Sincerely,



Printed Name & Date

Lorena Phipps

Owners at

4424 9th St. NW Wash. DC - 20011 - 7 9-3-14

Advisory Neighborhood Commission 4C  
801 Shepherd Street NW  
Washington DC 20011  
Tel: (202) 723-6670  
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The Gallases have indicated that the addition as proposed requires Special Exception from DC Zoning Regulations, which they intend to pursue.

I have reviewed the drawings and I support the approval and construction of this project.

Sincerely,

 9/3/14

Printed Name & Date

John Boyan Bishop

Owners at

4425 9th St NW



August 26, 2014 C.E.

Ivory Gene Cooper  
Karen W. Cooper  
4426 9<sup>th</sup> Street, NW  
Washington DC 20011

Advisory Neighborhood Commission 4C  
801 Shepherd Street NW  
Washington DC 20011  
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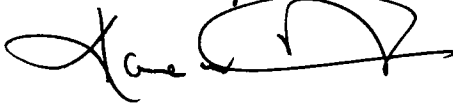
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The Gallases have indicated that the addition as proposed requires Special Exception from DC Zoning Regulations, which they intend to pursue.

We have reviewed the drawings and I support the approval and construction of this project.

Sincerely,

Ivory Gene Cooper  
Karen W. Cooper  
Owners of 4426 9<sup>th</sup> Street, NW, Washington, DC 20011

8/25/14

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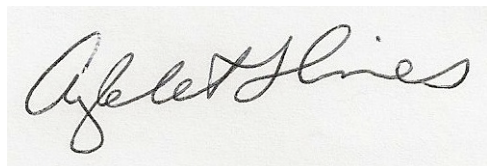
**Dear ANC 4C07 Commissioner Anthony:**

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The Gallases have indicated that the addition as proposed requires Special Exception from DC Zoning Regulations, which they intend to pursue.

I have reviewed the drawings and I support the approval and construction of this project.

Sincerely,

A handwritten signature in black ink that reads "Ayelet Hines". The signature is written in a cursive, flowing style.

Ayelet Hines  
Owner, 4427 9<sup>th</sup> St. NW  
Washington, DC 20011  
[ayeletthines@gmail.com](mailto:ayeletthines@gmail.com)  
(202) 270-7365

Advisory Neighborhood Commission 4C  
801 Shepherd Street NW  
Washington DC 20011  
Tel: (202) 723-6670  
E-mail: [4C@anc.dc.gov](mailto:4C@anc.dc.gov)

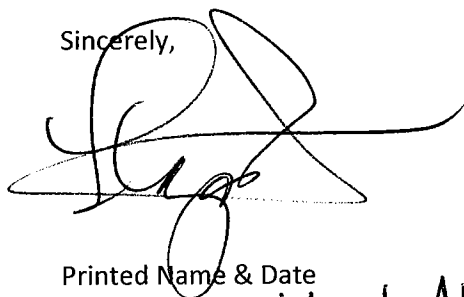
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The Gallases have indicated that the addition as proposed requires Special Exception from DC Zoning Regulations, which they intend to pursue.

I have reviewed the drawings and I support the approval and construction of this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Lloyd Allen", written over a horizontal line.

Printed Name & Date

Lloyd Allen 9/6/14

Owners at

4428 9<sup>th</sup> St NW

**From:** Brandon Gallas <gallasb@yahoo.com>  
**Subject:** Fwd: Please support our addition  
**Date:** October 2, 2014 3:01:11 PM EDT  
**To:** Ahmann Thomas <tahmann@ahmannllc.com>  
▶ 2 Attachments, 1.3 MB

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This email documents why the incorrect date appears in my neighbors' letters. It is the letter I sent to my neighbors asking for their support, showing the drawings, and providing a template letter of support.

When I looked at the drawings, the first page had a date at the top, June 24, 2014. I used that date in the template letter of support for my neighbors to use. That date was when the plat was printed by the city Office of the Surveyor. It was not the date of the architect's drawings. The date of the architect's drawings is July 31, 2014.

My neighbors saw the architect's drawings dated [July 31, 2024](#) not June 24, 2014.

Brandon Gallas

Sent from my iPhone

Begin forwarded message:

**From:** Brandon Gallas <gallasb@yahoo.com>  
**Date:** August 23, 2014 at 10:32:46 AM EDT  
**To:** Christopher Torchia <chris.torchia@yahoo.com>, Deepa Torchia <dsshukla@yahoo.com>, Daniel Consolatore <daniel.consolatore@gmail.com>, Ellie Stamatopoulos <ellie.stamatopoulos@gmail.com>, Jason Hagen <jasonthorhagen@yahoo.com>, Pilar Hagen <pilar\_v@yahoo.com>, Karen Cooper <kwcooper@yahoo.com>, Ivory Gene Cooper <igcooper@gmail.com>, Ayelet Hines <elvisseats@gmail.com>, Stevie Bishop <stevieoi@juno.com>, Martyn Oliver <martyn.oliver@gmail.com>, Jennifer Rogers <jennrogers77@gmail.com>, "W. L. Stokes" <waterfox1952@yahoo.com>, Lloyd Allen <gasperee2@yahoo.com>, Sonia Harvey <saharvey@tmsiloans.com>  
**Subject:** Please support our addition  
**Reply-To:** Brandon Gallas <gallasb@yahoo.com>

Hey Neighbors,

You may have heard that we have been talking with an architect who has designed an addition on the back and a conversion of the attic to living space. We are excited and now are at the point of getting permission from the city.

Our addition requires a special exception because we are going to take up 70% of our property instead of 60% and we are going to have 18' of rear yard instead of the required 20'. Getting the special exception requires getting DC approval, which is heavily dependent on the ANC's support (4C), which is heavily dependent on your support. That's why I am sending this email.

We are hoping you will send a letter of support to us. The addition should pretty much \*match\* the dimensions of our attached neighbor at 4428 9th St. and we will work to make sure we blend in nicely. Please check out the drawings (attached). Attached is also a pre-written letter of support you can use. Please replace the highlighted information with yours and sign.

Please contact us if you have any questions or want to hang out in the yard. We are really happy to have you all as friends, not just neighbors.

brandon and emily

\*\*\*\*\*  
4430 9th St NW  
Washington DC, 20011  
home: (202) 291-4430  
cell: (202) 905-1661

| email: [gallasb@yahoo.com](mailto:gallasb@yahoo.com)



[4430\\_9thStD....pdf \(1.3 MB\)](#)



[SupportAddi...ocx \(13.9 KB\)](#)

DISTRICT OF COLUMBIA GOVERNMENT  
OFFICE OF THE SURVEYOR

Washington, D.C., June 24, 2014

Plat for Building Permit of SQUARE 3020 LOT 33

Scale: 1 inch = 10 feet Recorded in Book 44 Page 41

Receipt No. 14-05815

Furnished to: TAIESHA EDWARDS

\_\_\_\_\_  
Surveyor, D.C.

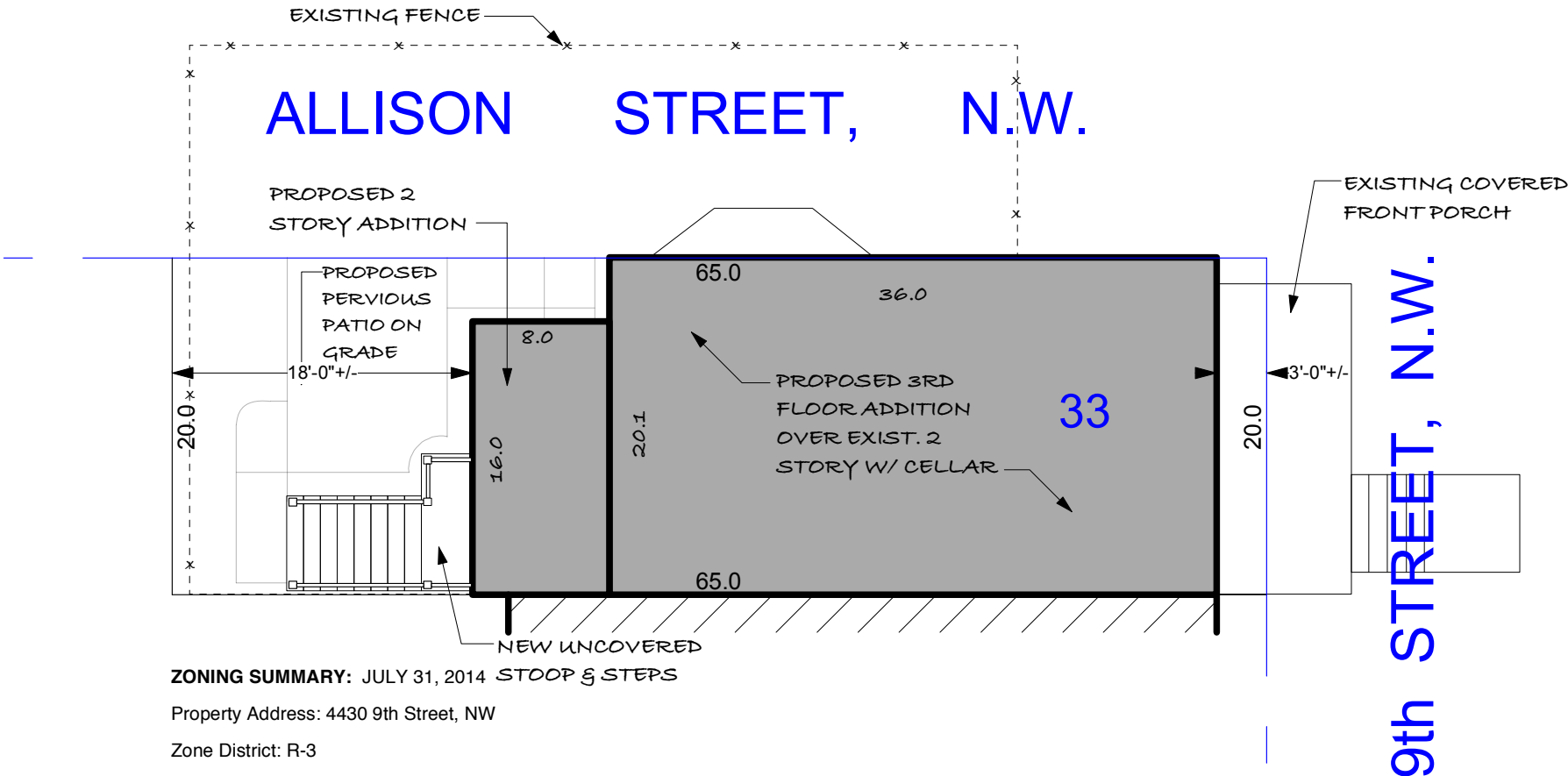
By: A.S.

I hereby certify that all existing improvements shown thereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plat; and that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining Lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified that all Lot divisions or combinations pending at the Office of Tax & Revenue are correctly depicted, and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and private restricted property.) Owner/Agent shall indemnify, defend, and hold the District, its officers, employees and agents harmless from and against any and all losses, costs, claims, damages, liabilities, and causes of action (including reasonable attorneys' fees and court costs) arising out of death of or injury to any person or damage to any property occurring on or adjacent to the Property and directly or indirectly caused by any acts done thereon or any acts or omissions of Owner/Agent; provided however, that the foregoing indemnity shall not apply to any losses, costs, claims, damages, liabilities, and causes of action due solely to the gross negligence or willful misconduct of District or its officers, employees or agents.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.



**ZONING SUMMARY:** JULY 31, 2014 **STOOP & STEPS**

Property Address: 4430 9th Street, NW

Zone District: R-3

Existing Use: Single Family Residential / Row Dwelling\*

Proposed Use: Single Family Residential / Row Dwelling\*

\* Per definition in §199: "A one-family dwelling having no side yards."

Maximum Allowable Height: 40 ft. / 3 Stories  
Existing Height: 22 ft. / 2 Stories plus Cellar  
Proposed Height: 31 ft. / 3 Stories plus Cellar

Min. Required Lot Area: 2000 sq. ft.  
Existing Lot Area: 1300 sq. ft.  
**Lot is Sub Standard in regards to Min. Required Lot Area**

Min. Required Lot Width: 20.00 ft.  
Existing Lot Width: 20.00 Feet

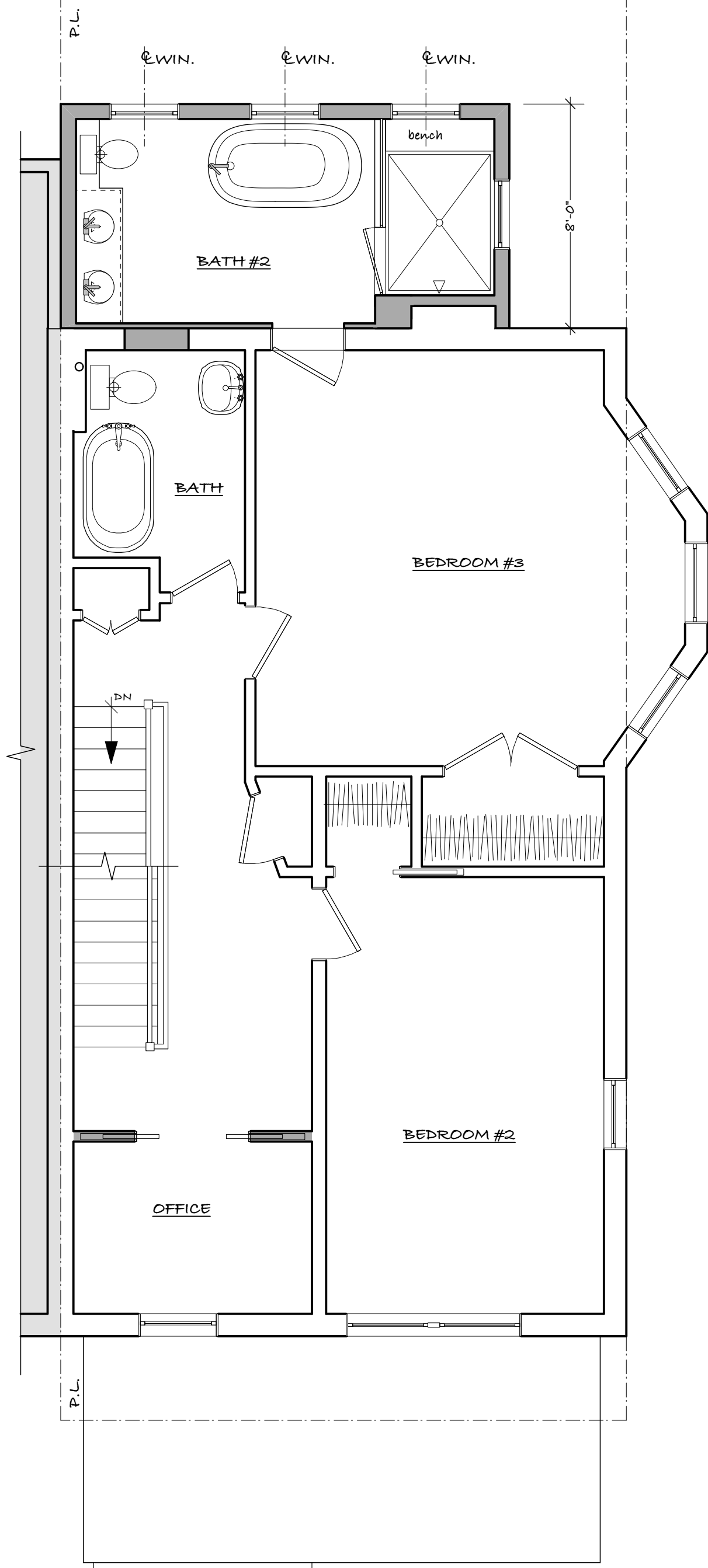
**Max. Percentage of Lot Occupancy: 60% / 780 sq. ft.**  
**Existing Lot Occupancy: 60.0% / 780 sq. ft.**  
**Proposed Lot Occupancy 70.0% / 910 sq. ft.**  
**Requesting Special Exception per §223**

Min. Required Rear Yard: 20 ft.  
Existing Rear Yard: 26 ft. +/-  
Proposed Rear Yard at Addition: 18.00 ft.  
**Requesting Special Exception per §223**

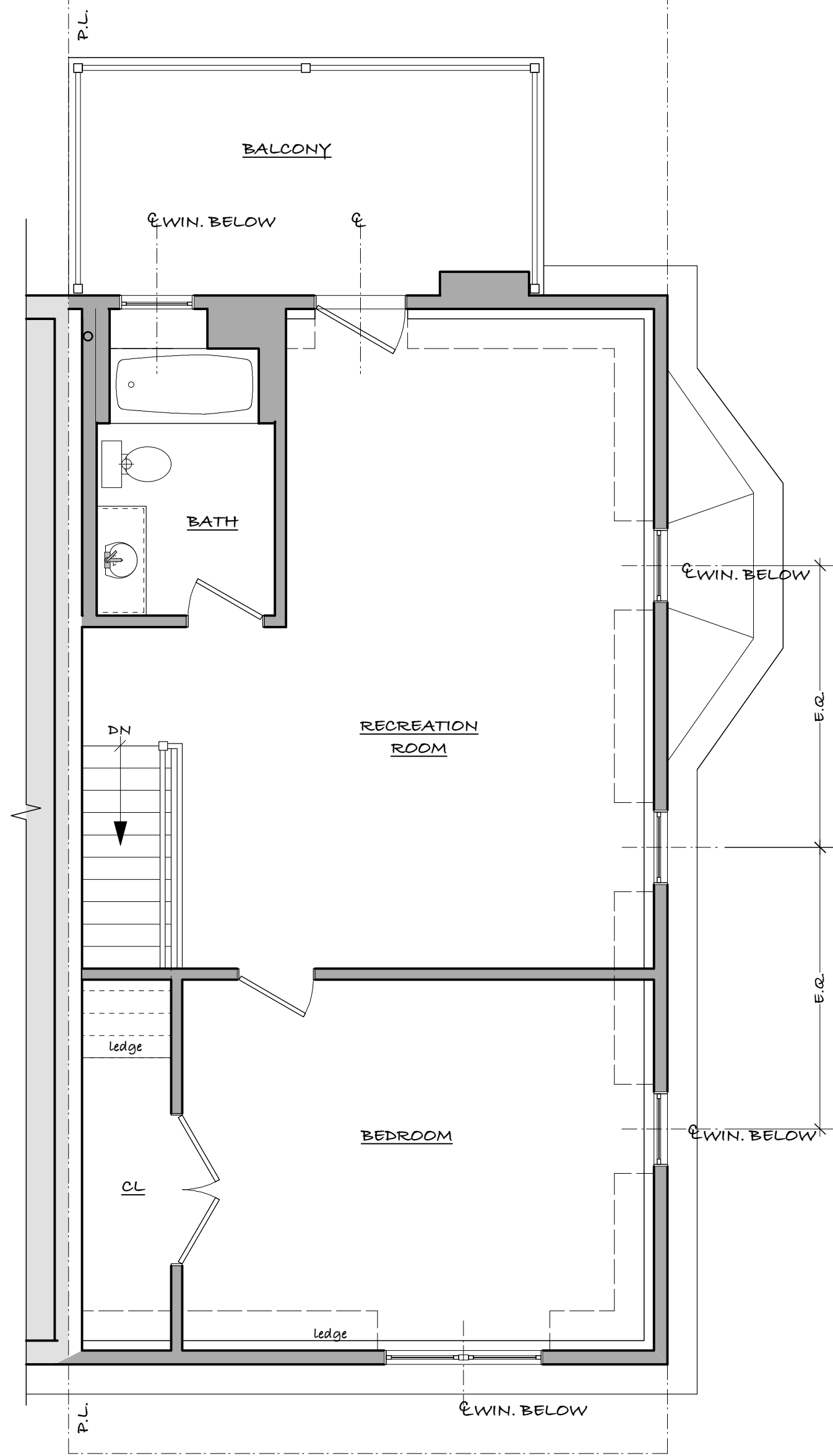
Pervious Surface Minimum Requirements: 20% / 260 sq. ft.  
Proposed Pervious Surface Area: 30% / 390 sq. ft.\*\*

\*\*Based on an increased lot occupancy of ten percent or more, per §412.1.





1 SECOND FL PLAN  
Scale: 1/4" = 1'-0"



2 ATTIC FL PLAN  
Scale: 1/4" = 1'-0"





1 FRONT ELEVATION  
Scale: 1/4" = 1'-0"



2 REAR ELEVATION  
Scale: 1/4" = 1'-0"

PROPOSED ELEVATIONS  
FRONT & REAR

GALLAS RESIDENCE  
ADDITION & RENOVATION

4430 9TH STREET, NW  
WASHINGTON, DC 20011

SCALE: 1/4" = 1'-0"

ISSUE DATE  
31 JULY 2014

A-3

Ahmann LLC  
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1 SIDE ELEVATION  
Scale: 1/4" = 1'-0"

PROPOSED ELEVATIONS  
RIGHT SIDE

SCALE: 1/4" = 1'-0"

GALLAS RESIDENCE  
ADDITION & RENOVATION

4430 9TH STREET, NW  
WASHINGTON, DC 20011

ISSUE DATE  
31 JULY 2014

A-4

Ahmann LLC  
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