



CAPITOL HILL RESTORATION SOCIETY

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OFFICE OF ZONING
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September 13, 2011

**Testimony of Gary M. Peterson on behalf of the Capitol Hill Restoration Society
BZA # 18243 The application of Vanessa Manchester**

My name is Gary Peterson. I am the Chair of the Zoning Committee of the Capitol Hill Restoration Society (CHRS) and am authorized to give testimony on behalf of CHRS concerning this application. For over 50 years CHRS has testified regarding zoning cases involving properties in or near the Historic District, and within the interest area as specified in the CHRS Bylaws. The subject property meets this test.

In this case the applicant seeks a special exception to construct a free standing garage addition serving an existing one-family row dwelling, not meeting the lot occupancy requirements, and a variance from the accessory structure height and story limitations in the R-4 District at 1231 F Street, N.E.

The Committee heard the application in this case at the regular scheduled meeting on September 8, 2011. The committee voted to support the application for the special exception. The committee voted to support the application for a variance from the story limitations and to support the height variance up to the roof of the garage. The committee voted to oppose the height variance for the popup for the roof access.

The property is unique because the alley is located 6.7 feet *above the back yard. The measuring point for the accessory building is located at the base of wall of the garage facing the house and from that point an accessory building is allowed to be 15 feet high. In this case, the applicant wishes to demolish the existing garage and to build a new garage with a basement and a pop up stair structure for access to a proposed roof deck.

1. Special exception. Because the footprint of the new garage is larger than the old one, the applicant needs a special exception to change the lot occupancy from 60% to 65.9%. The committee voted unanimously to support the application. The committee found that the addition, without the popup, will not affect the light and air nor privacy of use and enjoyment of neighboring properties. The committee was given letters of support from adjacent property owners. The committee also found that this addition, without the popup, does not substantially visually intrude upon the character, scale and pattern of houses along the street frontage.
2. Height variances. The committee viewed the request for the height variance in two parts—height of garage variance and height of the new popup variance. The applicant proposes to replace an existing garage and claims this as the reason for

* All measurements for this testimony comes from the applicants plans that are on file. In particular page A400 Proposed Elevation, has been relied on.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18243

EXHIBIT NO. 26

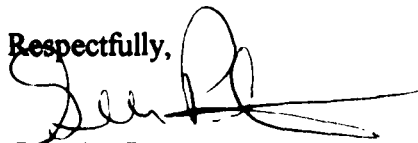
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the variances for height. We took note that there is no rooftop deck and popup access on the existing garage and the applicant does not need these to rebuild the garage. The applicant already has a backyard that allows sufficient outdoor space. For the BZA to grant variances the applicant must show an exceptional condition or uniqueness of the property, practical difficulties in complying with the zoning regulations arising out of the uniqueness, and no detriment to the public good or impairment of the zone plan.

- a. Height variance for garage. Rebuilding the garage presents practical difficulties because the difference in the elevation of the backyard and the alley. When completed the garage will have a height of 21.6 feet from the measuring point to the top of the parapet. The portion of the garage facing the alley, measured from the elevation of the alley to the top of parapet, will be 12.3 feet. The committee believes that the measuring point issue creates practical difficulties in complying with the Zoning Regulation and that the replacement garage is not detrimental to the public good.
- b. Height variance for the popup. The popup add an additional 5.6 feet in height to the garage in order to provide covered access to the roof. This feature is not part of the original garage and this variance is not required to replace the garage. Access to the garage can be provided by a hatch or by exterior stairs from the garage floor or from the backyard. The applicant is creating the practical difficulty by requiring interior stairs and saying a popup is necessary. There is nothing about the uniqueness of the property that makes complying with the Zoning Regulations difficult. Even if the measuring point was the alley, the popup would exceed the 15 feet allowed by 2.9 feet
- c. Story variance. The arguments of support made in a. above applies to and are the same for the story variance and will not be repeated here. The committee supports this variance.

For these reasons I urge to approve the special exception, the story variance and the height variance only as it applies to the height of the garage to the top of the parapet.

Respectfully,



Gary M. Peterson
Chair, Zoning Committee
Capitol Hill Restoration Society