

Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3-D
P O. Box 40486
Palisades Station
Washington, D.C. 20016

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2013 APR 23 AM 8:21

April 21, 2013

Mr. Lloyd Jordan, Chairperson
Board of Zoning Adjustment (BZA)
441 4th Street NW
Suite 210S
Washington, DC 20001
bzasubmissions@dc.gov

Re: BZA Application No. 18543 for 5063 Overlook Road, NW

Dear Mr. Jordan.

At its properly-noticed public meeting on April 3, 2013, held at the Horace Mann Elementary School's Community Center, with a quorum present at all times, Advisory Neighborhood Commission (ANC) 3D voted unanimously, 10-0-0, to oppose the application for a special exception pursuant to 223 1 to permit an addition that will connect the main structure (detached SFD) to an accessory structure (one story detached pool house) without compliance with the required minimum rear yard setback from 404.1 and without compliance with the required minimum side yard setback from 405.9 in the R-1-A Residential Zone (3104.1) at 5063 Overlook Road, NW, (Square 1430, Lot No.0006), Washington, D.C. 20016.

The application seeks approval of a special exception for relief from the 8-foot side yard (section 405) and the 25-foot rear yard (section 404) requirements in the R-1-A district at 5063 Overlook Road, NW.

At the meeting on April 3, adjoining neighbors raised objections to the project and opposed the application. After reviewing the application and hearing the presentations of the application by representatives of the applicant and the concerns of the neighbors at the meeting, the Commissioners of ANC3D concluded that the addition does not meet the criteria in 11 DCMR § 223 because it will have an adverse effect on the use and/or enjoyment of adjacent dwellings and properties. The issues include light and air available to the properties and the privacy of use and enjoyment of neighboring properties

In addition, if the application is approved, the accessory building would become a part of the principal structure. This could allow the applicant to expand the pool house to greater heights on a property on which required boundaries on the sides and the rear are already significantly reduced in violation of the required setbacks

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18543

EXHIBIT NO. 30

Board of Zoning Adjustment
District of Columbia
CASE NO.18543
EXHIBIT NO.30

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ANC3D concluded that the addition does not meet the criteria in 11 DCMR § 3104 because it will not be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and will tend to affect adversely the use of neighboring properties in a way that is not in accordance with the Zoning Regulations and Zoning Maps

Consequently the members of ANC3D voted, 10 to 0, to unanimously oppose the application. There were also concerns expressed to the ANC about the effect granting a special exception could have on future building at 5063 Overlook Road. The ANC vote was in agreement with and supported those concerns.

ANC3D respectfully submits that this recommendation is to be given "great weight" pursuant to DC Code § 1-309.10

Commissioners also voted unanimously, 10-0-0, for Commissioner Nan Wells to testify before the Board of Zoning on behalf of ANC3D when this application is reviewed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Penny Pagano".

Penny Pagano
Chair, ANC3D

cc. Mr. Yves Balcer



BEFORE THE ZONING COMMISSION AND
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA



FORM 129 – ADVISORY NEIGHBORHOOD COMMISSION (ANC) REPORT

Before completing this form, please review the instructions on the reverse side.

Pursuant to §§ 3012.5 and 3115.1 of Title 11 DCMR Zoning Regulations, the written report of the Advisory Neighborhood Commission (ANC) shall contain the following information:

IDENTIFICATION OF APPEAL, PETITION, OR APPLICATION:

Case No.:	18543	Case Name:	5063 Overlook Road, NW
Address or Square/Lot(s) of Property:	5063 Overlook Road, NW, (Square 1430, Lot No.0006)		
Relief Requested:	ANC3D opposes BZA 18543		

ANC MEETING INFORMATION

Date of ANC Public Meeting:	0	3	/	0	4	/	13	Was proper notice given?:	Yes	☒	No	☐
Description of how notice was given:	by mail to the ANC3D P.O.Box address											

Number of members that constitutes a quorum:	6	Number of members present at the meeting:	10
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MATERIAL SUBSTANCE

The issues and concerns of the ANC about the appeal, petition, or application as related to the standards of the Zoning Regulations against which the appeal, petition, or application must be judged (*a separate sheet of paper may be used*):

see attached letter

The recommendation, if any, of the ANC as to the disposition of the appeal, petition, or application (*a separate sheet of paper may be used*):

see attached letter

AUTHORIZATION

ANC	3	D	Recorded vote on the motion to adopt the report (i.e. 4-1-1):	10-0-0
Name of the person authorized by the ANC to present the report:			Adrienne Gude	
Name of the Chairperson or Vice-Chairperson authorized to sign the report:			Penny Pagano	
Signature of Chairperson/ Vice-Chairperson:				Date: 4/21/13

ANY APPLICATION THAT IS FOUND TO BE INCOMPLETE MAY NOT BE ACCORDED "GREAT WEIGHT" PURSUANT TO
11 DCMR §§ 3012 AND 3115.