

**BOARD OF ZONING ADJUSTMENT
441 Fourth Street, NW, Suite 211-S
Washington, DC 20001**

**Testimony of Alma Hardy Gates
Neighbors United Trust
June 3, 2014**

Case No. 18738 – 4527 MacArthur Boulevard, NW

Good Morning Chairman Jordan and Members of the Board. I am Alma Gates, former ANC 3D Chair and member of the ZRR Task Force, testifying in opposition to the application of Siamak Kashani to covert a single family home to a five-unit apartment house at 4527 MacArthur Boulevard, NW.

When the applicant appeared before the Board in April, the Chair asked that a greater effort be made to work out differences with the neighbors. This amounted to “going through the motions” when on May 7, Mr. Ajalli presented slightly altered plans to neighbors.

What has changed?

A zoning attorney has been retained;
Three of five air conditioning units have been moved to the roof;
An exterior staircase has been removed;
Roof height has been reduced by 2.9 ft.; and,
The front of the building has been moved behind the building restriction line.

What has not changed?

The number of housing units remains at five;
The orientation and overall bulk of the apartment house;
Setbacks are oriented to the existing house – not the proposed structure; and,
The proposed increase in density and intensity of use on a single 5,000 sq. ft. lot.

Of paramount concern to the immediate neighbors is, and always has been, the number of units proposed for 4527 MacArthur Boulevard. When asked, the rationale for keeping five units has been, “because the numbers don’t work otherwise for the owner.”

The Comprehensive Plan Future Land Use Map specifies this area is designated Moderate Density.¹ The Generalized Policy Map designates the entire lower Foxhall area as a Neighborhood Conservation Area and notes, “They are primarily residential in character. Maintenance of existing land uses and community character is anticipated over the next 20 years.” Comprehensive Plan guidance is meant to protect neighborhoods from predatory practices by outsiders who are oblivious to community character, density and livability.

The subject lot is only 41 ft. wide, which explains why the front of the proposed multi-unit apartment house cannot face the street. Its height, and bulk are out of scale and context with surrounding properties. More importantly, **the proposed new construction on an interior lot, would not meet the standards and requirements of § 353.1 with regard to setbacks.** The setbacks remain oriented to the existing house and would place an 8 ft. rear yard adjacent to the side yard of the Bemis property.

Does the BZA really intend to set precedent by approving an application for a new structure under § 353.1 that cannot meet setback requirements due to its orientation on the lot?

When the BZA approved Application No. 18553 in 2013 to convert a single family home to a four unit condo next door to 4527, the dominoes began to fall. That zoning approval also appears in conflict with the Comprehensive Plan’s Land Use Policies and the Rock Creek West Area Element.² Predictably, the Board now

¹ The Comprehensive Plan Future Land Use Map shows this section of MacArthur Boulevard is designated Moderate Density Residential and Defines the District’s row house neighborhoods as well as its low-rise garden apartment complexes. Also applies to areas characterized by a mix of single family homes, 2-4 unit buildings, row houses, and low rise apartment buildings. In some older inner city neighborhoods with this designation there may also be existing multi-story apartments.

² Policy LU-2.1.5: Conservation of Single Family Neighborhoods

Protect and conserve the District’s stable, low density neighborhoods and ensure that their zoning reflects their established low density character. Carefully manage the development of vacant land and the alteration of existing structures in and adjacent to single family neighborhoods in order to protect low density character, preserve open space, and maintain neighborhood scale. 309.10

Policy RCW-1.1.1: Neighborhood Conservation

Protect the low density, stable residential neighborhoods west of Rock Creek Park and recognize the contribution they make to the character, economy, and fiscal stability of the District of Columbia. Future development in both residential and commercial

finds itself considering a larger conversion at 4527 from single family to a five-unit apartment house. (Attached photo shows only single family housing stock currently surrounding 4527 MacArthur and that all structures face the street.) All that is needed to put this behemoth in context is a neon sign that flashes "MOTEL 5."

In conclusion, the BZA should deny Application No. 18738 for the following reasons:

The Applicant has not addressed the neighbors' primary concern – number of units;

The structure is incompatible with its immediate surroundings in terms of siting on the lot and bulk;

The setback requirements cannot be met;

Maximization in terms of lot occupancy, height and FAR;

Five-fold increase in intensity of use on the lot;

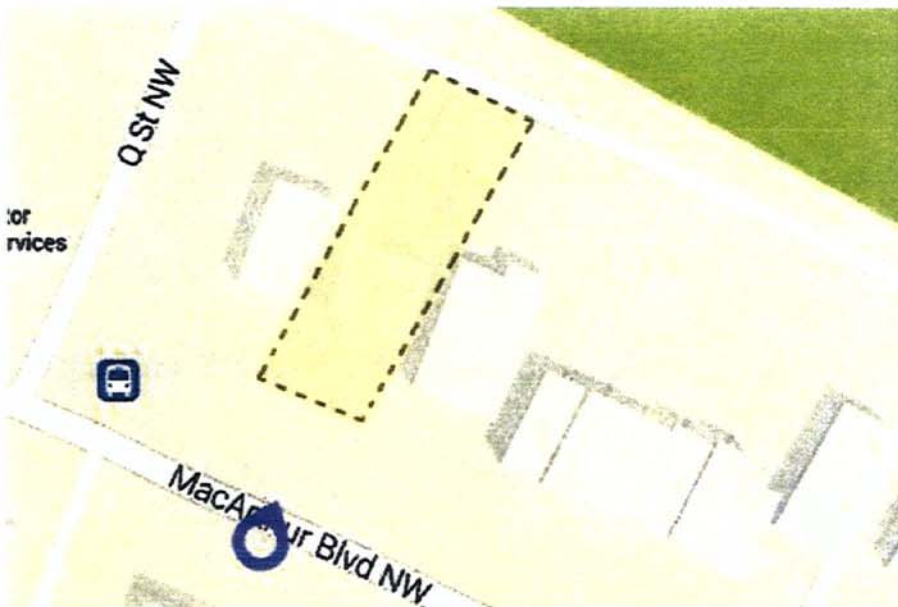
and

Zoning is not meant to change neighborhood character.

areas must be carefully managed to address infrastructure constraints and protect and enhance the existing scale, function, and character of these neighborhoods. 2308.2

Action Item RCW-1.1.B. Protection of Neighborhood Architecture and Aesthetics
Consider new tools such as Conservation Districts and changes to the Zoning Regulations to reduce the incidence of "teardowns" in Rock Creek West neighborhoods. While this is a citywide issue, it is a particular concern in this part of the city

Front Street View



Property Address:
4527 MacArthur Blvd NW, Washington DC 20007
Square 1363, Lot 50

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