



ROBERT BELL ARCHITECTS

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3218 O Street, North West

March 16, 2015

Board of Zoning Adjustment
District of Columbia

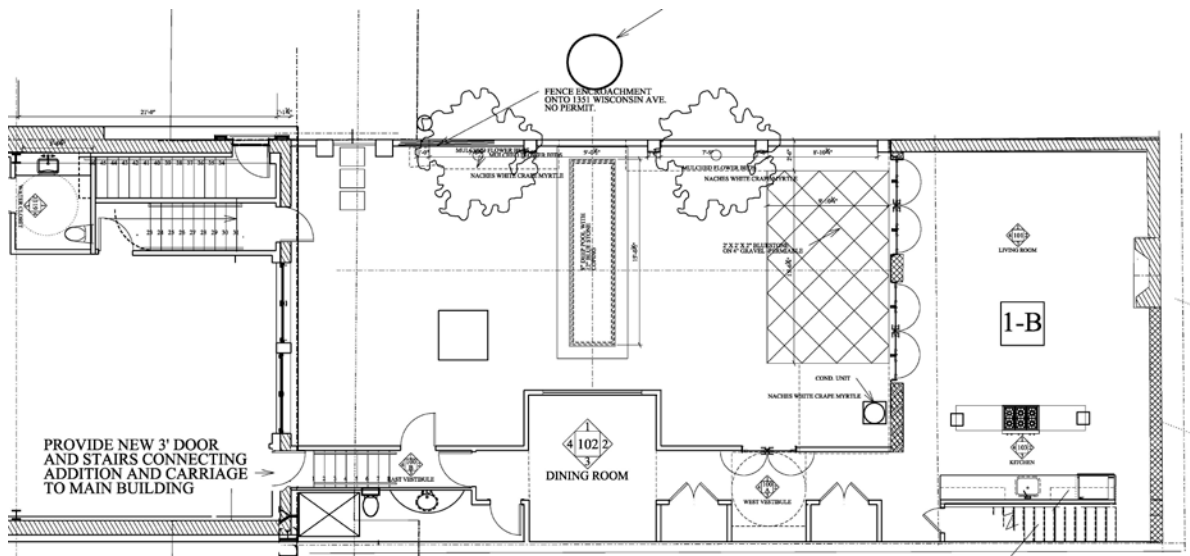
Re: addressing issues of BZA concern at March 3rd hearing of Application 18884
Special exception and rear yard variance for addition 1351 Wisconsin Ave. NW

Dear Sirs,

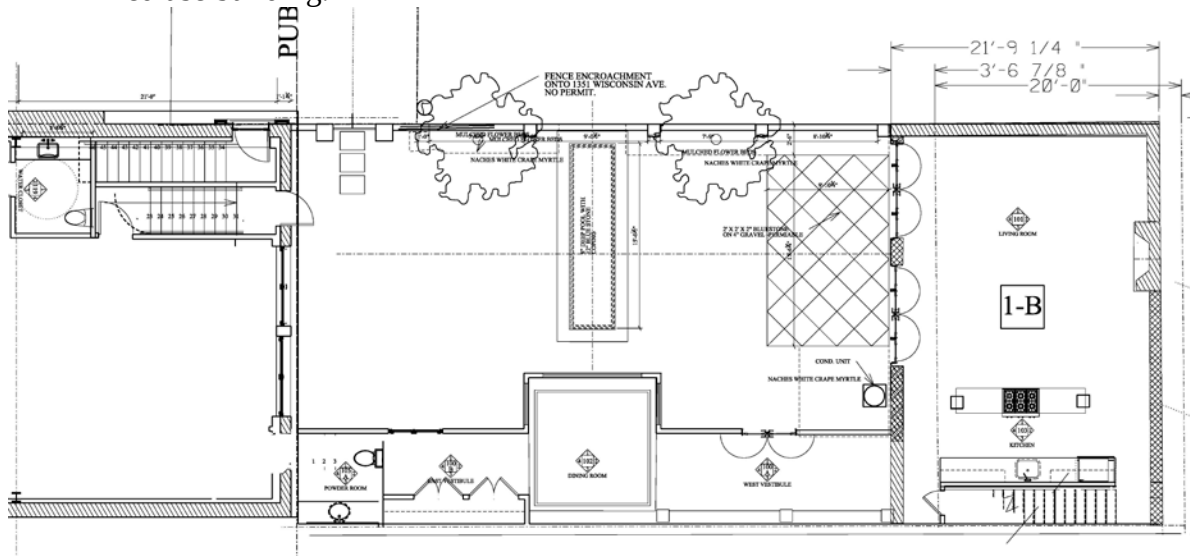
The four issues that concerned the BZA on March 3, 2015 regarding application 18884 are as follows:

- 1 **“Establishing that there is a meaningful connection”**- The applicant has redesigned the plan of the addition and is submitting an amendment to the Permit application to provide a door and stairs to connect the mixed use building with the new residence.
- 2 **Privacy**-§ 2514.2 (c) (d) “protecting adjacent property by assuring privacy for the four opposing neighbors.
- 3 **Fire protection**– demonstrating that the proposed addition has does not interfere with fire department requirements.
- 4 **FAR**- show that the FAR calculations of the proposed building meet the D.C. zoning code and address.

1. **MEANINGFUL CONNECTION** To provide the **necessary meaningful connection**, the applicant has adjust the interior design of the addition to provide a direct door between the main building and the proposed addition and carriage house. This connection had previously existed in earlier designs linking the main building and carriage house. Restoring the door with its direct connection addresses the Boards concerns and improves the functional use of the building (see illustration E proposed amendment to addition plan). This makes the main building and the carriage house with this addition to function as a single building- connected throughout.



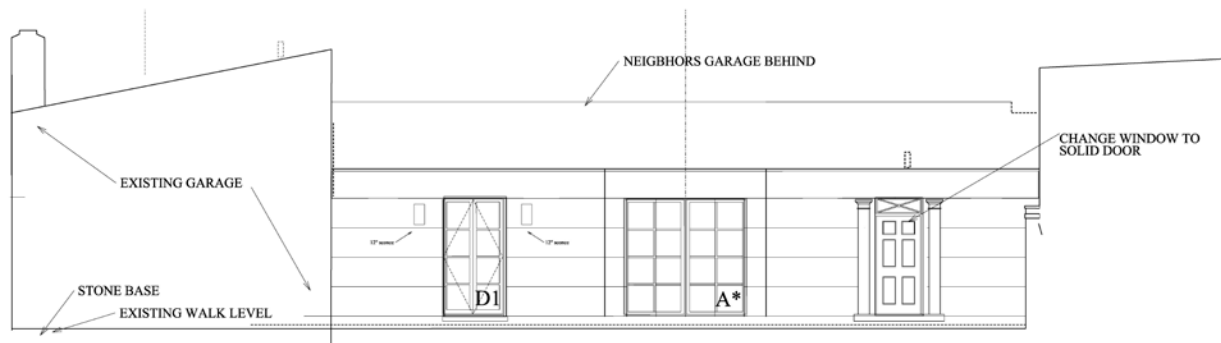
MODIFIED SUBMISSION TO CREATE A MEANINGFUL CONNECTION
 Direct door and walkway from main building to rear residence with stair connection
 mixed use building.



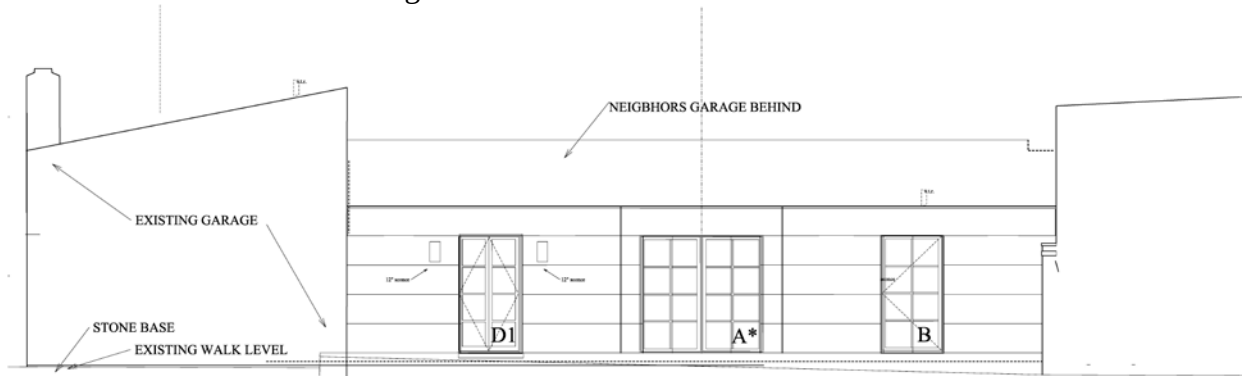
ORIGINAL PROPOSED ADDITON

ILLUSTRATION 1 applicant is submitting a modified plan to the addition with doors and a hall which connects it directly to the main building.

To clarify the Chairman's question "is this merely a connection", the addition includes the dining room for the residence, a bath room, and storage and entrance hall providing approximately 30% additional floor space to the Carriage house. The addition increase the area of this residence from approximately 1,000 sq. ft. to approximately 1,400 sq. ft. It is not a simple walk way between two buildings but an integral part of the proposed residence.



MODIFIED SUBMISSION TO CREATE A MEANINGFUL CONNECTION
Eliminate window B and replace with solid door with vestibule and connections
between main building and rear residence.



ORIGINAL PROPOSED ADDITON.

ILLUSTRATION 2 The modified design also provides a solid door in place of the original submission with window B. this provides more privacy for Mr. Junker.

2. PRIVACY § 2514.2 (c) (d) – The OGB have already addressed the issue of the neighbors privacy in a number of public hearings which have given heavy weight to the ANC 2B. The OGB specifically required a garden design including trees. The approved design included white crepe myrtles that fill the space below the lower branches of the Ash tree as well as a reflecting pool on axis with the ash tree. This garden plan including the proposed addition were recommended by the OGB and approved by Frederick Lindstrom for CFA as follows:

“RECOMENDATION *“No objection to issuance of permit for proposed partial demolition, alterations and roof top addition to the Georgetown Theater, for alterations and addition to garage structure at rear with a connecting loggia, and for alterations to rear yard as shown in supplemental drawings dated 7 April 2014 which indicate that historic chimney will remain, third floor windows at rear of theater will have a raised sill, wood windows will not have screens, light fixtures will be no taller than 12 inches high, skylights will be flat and historic neon sign will be repaired and painted black. **Parking pad** in courtyard, which was **not approved**, is deleted from this permit application. Report to the Old Georgetown Board with any findings made during renovation of canopy and removal of stucco from the facade that may require revisions to the approved design. Erect materials sample panel on site for review by the Commission prior to ordering materials. Note: Any subsequent modifications to the approved design, including those made during DCRA technical review, must be re-submitted to the Commission for approval prior to issuance of permit. *****underline and bold by applicant***

The impute from the ANC, numerable reviews by OGB which culminated in their permit approval recommendation and CFA approval of the exact plans, elevation and specifications which are before the BZA clearly establishes that the applicant has meet the criterion of §2514.2 (c) *“shall have no adverse effect upon the present and future development of the neighborhood.”*

Achieving this goal is the exact reasons that this design review exist. The applicants design is the result of a complete process including the ANC, neighbors input, community input as well the recommended by the OGB and approved by CFA board members.

The issues of lighting, location of structure, design and appearance have thoroughly been reviewed and approved by the CFA including not only the design of the structure, it includes size type and color of lighting, plantings etc. The OGB and CFA have required specific screening requiring trees below the upper branches of the Ash which are 25' high crepe myrtles meet §2514.2 (c).

Mr. Junkers concerns:

To further ameliorate Mr. Junker concern for screening expressed at the BZA hearing, the applicant proposes additional evergreen plantings to screen the view between Mr. Junker and the permitted main theater building. (See plans and elevations)

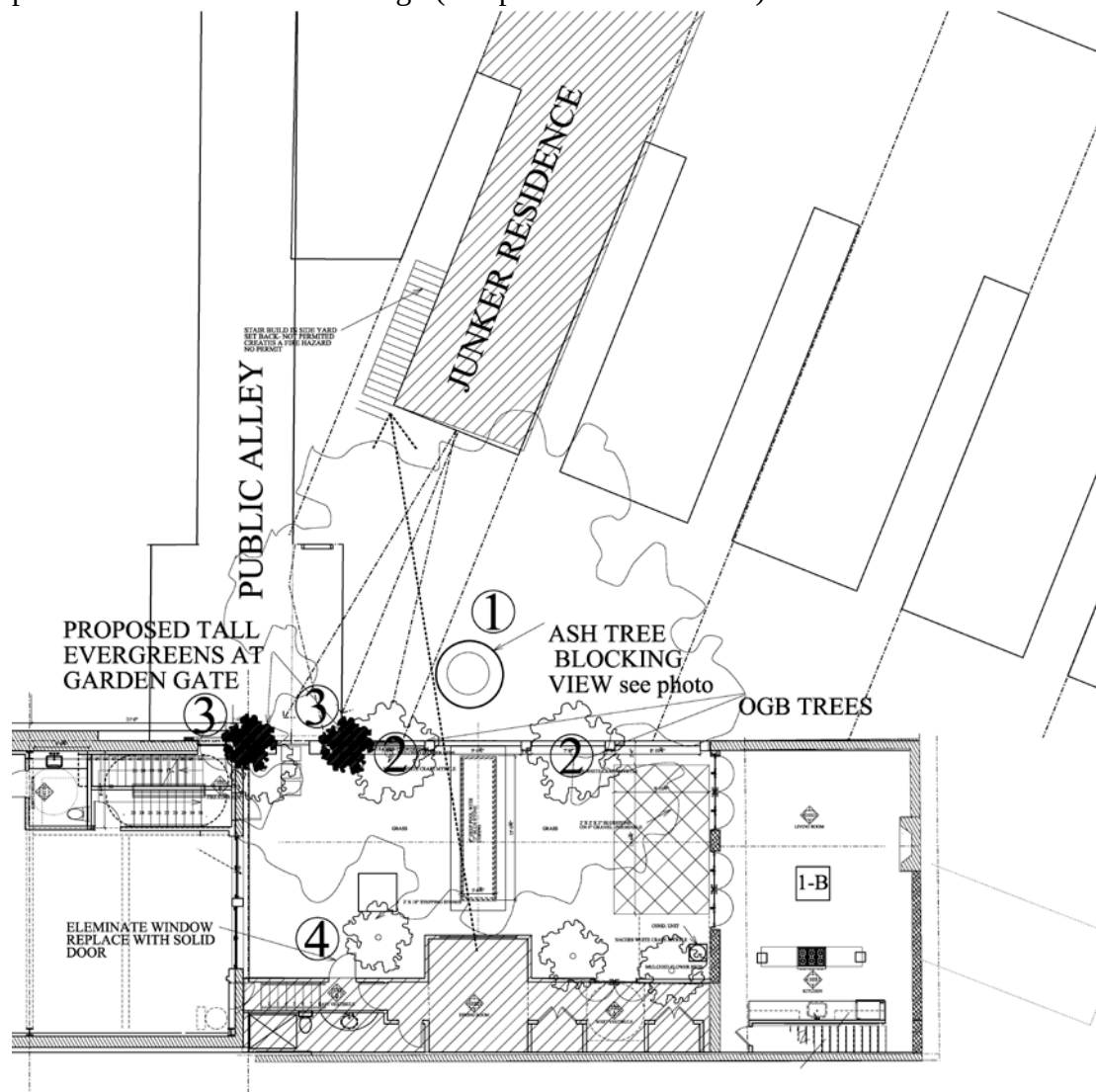
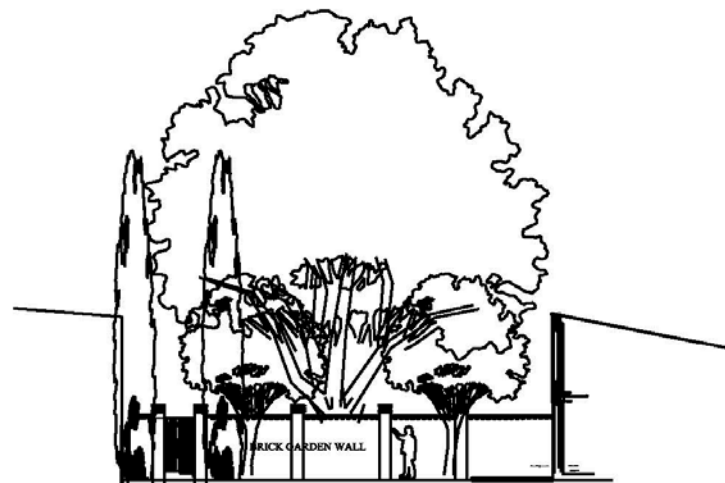
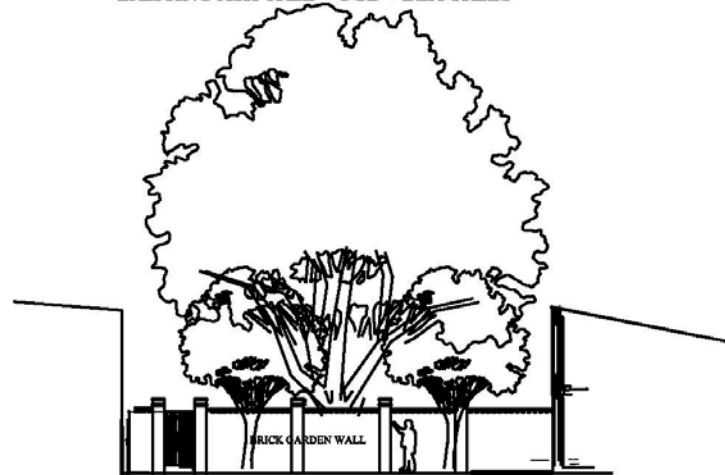


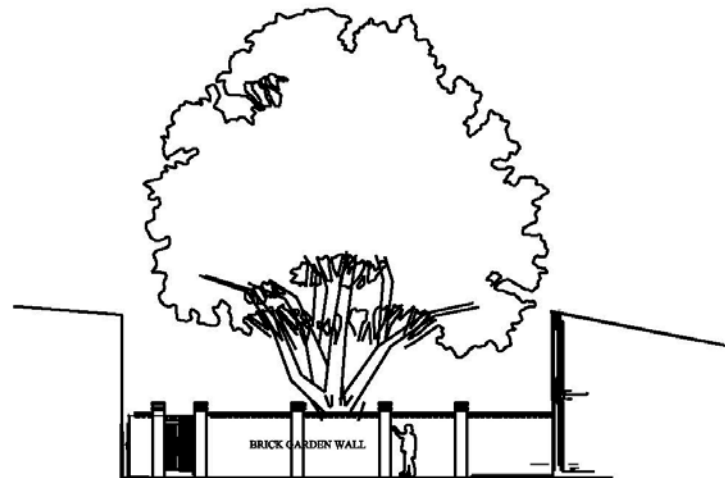
ILLUSTRATION Plan showing the location of the Ash Tree (1) the OGB approved plantings (2) the proposed evergreens for BZA (3) and the change from window to solid door (4) in revised proposal. In addition there is a 7' high brick garden wall to provide lower privacy to first floors and gardens.



EXISTING ASH TREE + OGB + BZA TREES



EXISTING ASH TREE + OGB TREES



EXISTING ASH TREE

ILLUSTRATION shows brick wall for lower, the existing ash tree, the addition of OGB required crepe myrtles and finally the proposed evergreens for Mr. Junkers concerns expressed at BZA

In reality, Mr. Junkers is already well screened by the Ash tree between his house and the proposed dining room window. See photo below.



ILLUSTRATION 5

This photograph is taken at the exact location of the dining room window of the proposed addition. Mr. Junker's residence is the red building beyond the tree. This shows that Mr. Junker's view to the window of the new addition is almost totally obscured by the existing Ash tree. (Note: the applicants design focuses on this tree including a reflecting pool between its dining room and tree.)

The appicate proposes planting evergreens on each side of the garden gate leading from the alley into the proposed garden. These 40' evergreen Leyland cypress are tall enough to provide privacy for Mr. Junkers as well as the residents of the main already permitted building

In addition the applicant proposes removing the window labeled B on the original elevation with a solid door in modified design. (See illustration of “meaningful connection” (see illustrations 1 and 2 above showing amended permit application). Mr. Junkers property is further screened with 7’ high brick garden wall blocks the view into this property from the neighbor’s lower rooms. See screening elevations.

In addition there is a substantial garden distance from the brick wall to the addition. The required side yard set back is 8 feet wide. The design proposed is 20 feet from the property line- three times the required distance and providing substantially more privacy.

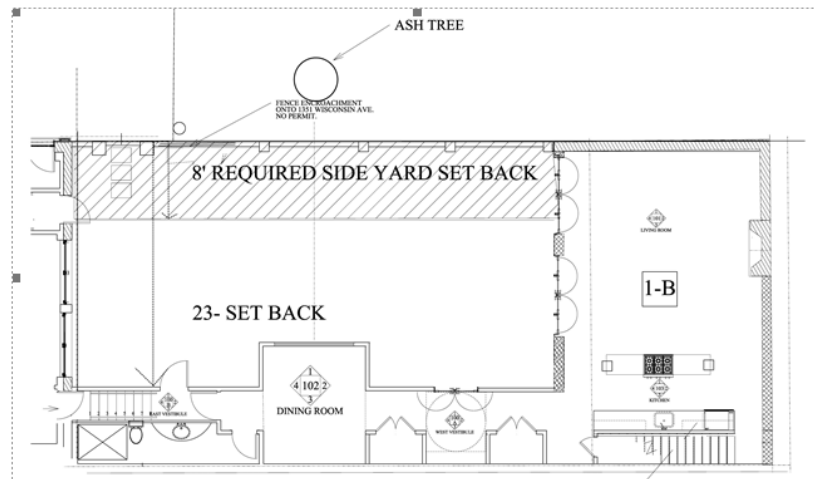
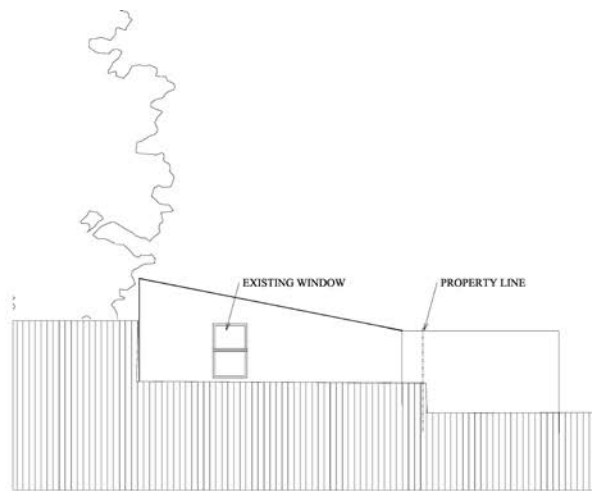


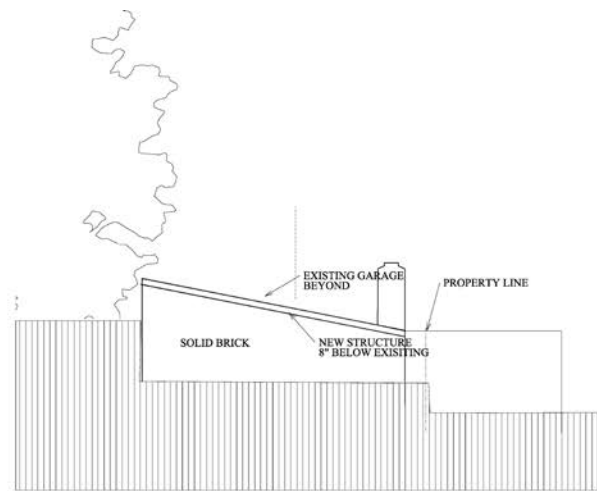
ILLUSTRATION 8. Contrasts the C2A Side yard requirement 8’ with actual 23’ open space.

Mr. Mulders concerns

Addressing Mr. Mulders concerns of privacy- the existing carriage house has a window that looks directly into Mr. Mulders yard. The approved addition eliminates the window and replaces it with a brick wall. Note this addition has been permitted.



Existing south wall of carriage house with Widows looking directly into Mr. Mulder Yard and residence.



newly permitted addition to carriage house provides a solid brick wall eliminating any View into Mr. Mulder's yard of residence.

ILLUSTRATION 9. The removal of existing window and replacement of a blank wall for privacy.

Mr. Adams and Mr. Gallagher's privacy

Illustration 10 and 11 show that Mr. Gallagher and Mr. Adam's have no view of the building. Contrary to their testimony, this photograph shows, with the white paint line, shows the height of the new addition. This demonstrates that the new addition is substantially below their rear garage walls.



ILLUSTRATION 10. A white line indicates that the new addition height is well below the existing garages to the south.

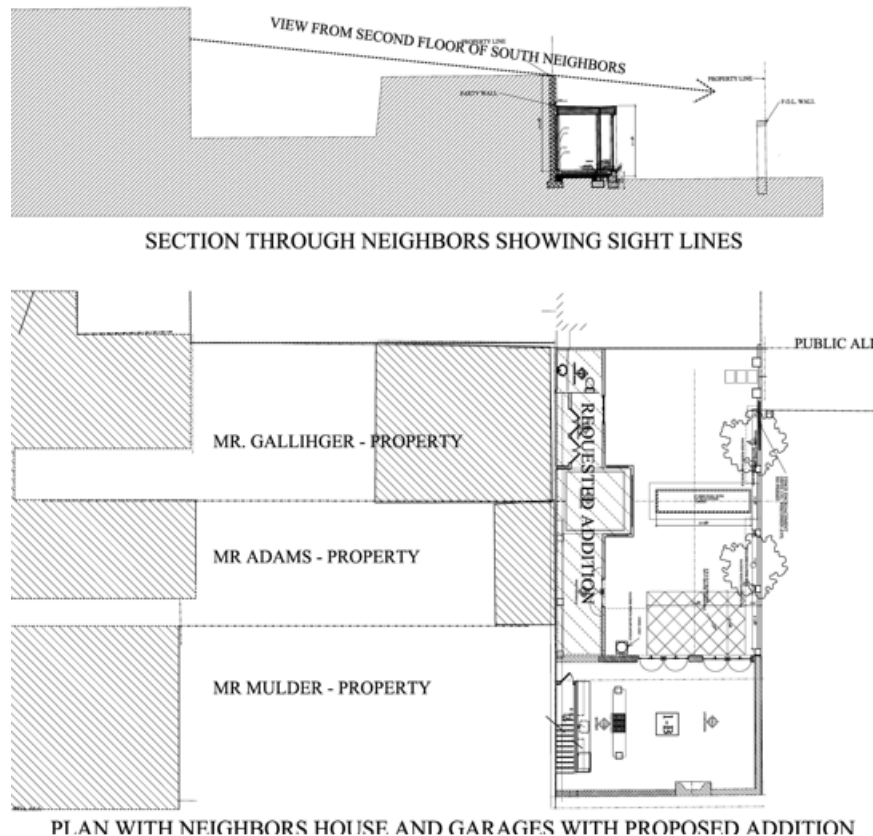


ILLUSTRATION - demonstrates through plan and “sight line” section that south neighbors have no view of proposed additon.

3 FIRE PROTECTION the board ask the applicant to show that fire protection was not being compromised by approval of the addition.

The **entire property including the addition and carriage house has an automatic fire sprinkler system**. The design of this addition and building are safer than any of the neighboring buildings. The sprinkler system additionally provides a fire barrier between north and south neighbors. Further the carriage house is **not** an alley dwelling and its address is on Wisconsin Avenue and is not controlled by “alley dwelling” requirements.

There is firefighting access on three of the four sides. The west is on Wisconsin, the North is access from the alley that ends against the property and its garden gate to the carriage house, and the South has an easement on the Bank America property that prevents the Bank from ever building on the alley between the two structures which assures access.

The alley itself ends at the north face of this property where the property is entered through a garden gate. This is not obstructed in any way by the proposed building. However the Mr. Junker who is opposed to the project has encroached into the alley 6’ with a fence to enclose a private parking space which does significantly obstructs the use of the public alley for fire access to this property. Mr. Junker’s encroachment endangers all properties at the end of this alley. (See

attached survey F)

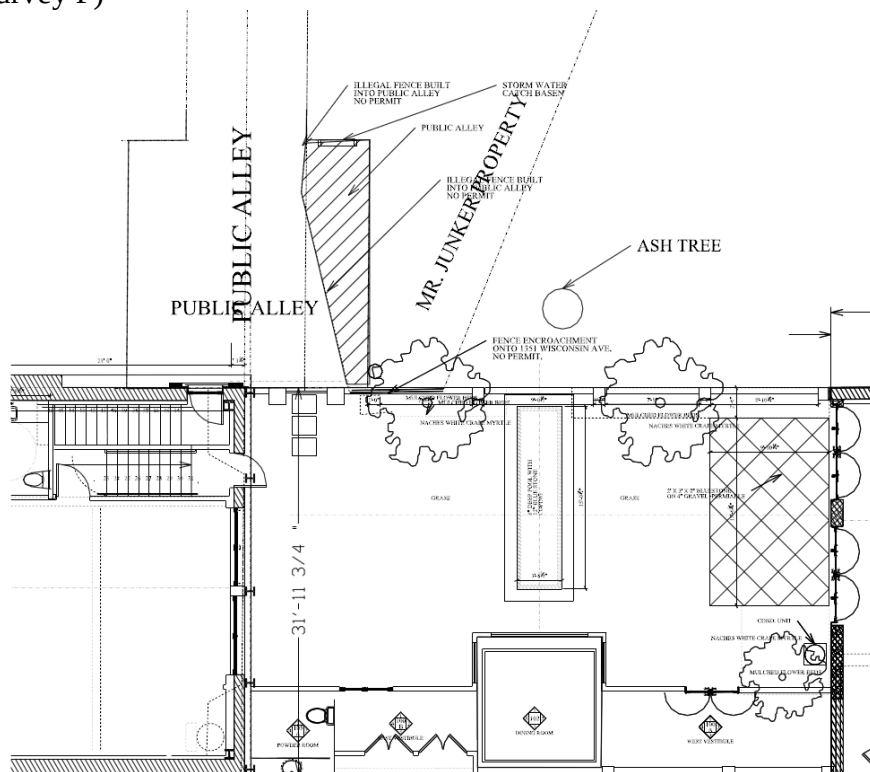


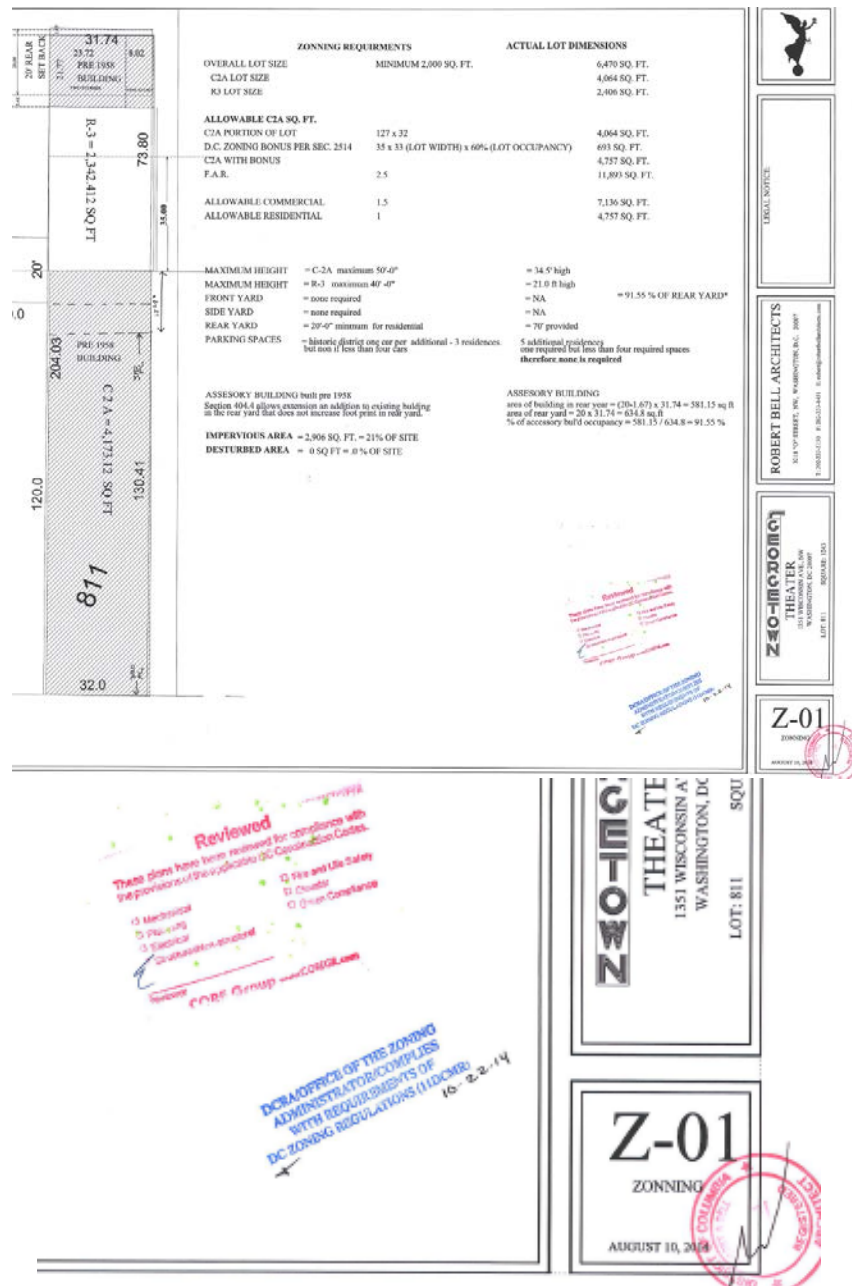
Illustration of alley

Calculations of the FAR. The total gross floor allowable on the property is 14,374 sq. ft. The total gross floor area for the lot including the addition is 13,724 sq. ft. which is **approximately 1000 sq. ft. less than allowed by Zoning**. The height of the addition in the C2A portion is 30' below that the allowable height of 40', the height of the main building at the garden face is 19 ft. which is 30' lower than the allowable 50'.

- a. The allowable Gross Floor Area for lot is 14,374 sq. ft. and the application would create 13,724 Gross Floor Area which is 1,000 sq. ft. less than allowable. The allowable area for lot 811 which is 2.5 FAR for the C2A portion of the building with a 50' high building. The rear R3 portion of the lot allows three stories to cover 60% of the lot and 40' high. The Gross Floor area of the lot is calculated as follows:

$$\begin{aligned}
 \text{C2A} &= 4,139 \times 2.5 = 10,347 \text{ sq. ft.} \\
 \text{*R3} &= 2,430 \text{ sq. ft.} \times 60\% \times 3 = \underline{4,374 \text{ sq. ft.}} \\
 \text{ALLOWABLE GROSS FLOOR is} & \quad \mathbf{14,721 \text{ sq. ft.}}
 \end{aligned}$$

The calculations for the main building and the accessory building were approved by D.C. Zoning and third party review see BZA exhibit 38 and 39 and illustration below. This approval follows the methods of calculation provided by "Zoning letter of finding" by Matt LeGrant, zoning administrator see BZA exhibit 17. See copy of approved permit drawings with zoning signature.



Zoning signature on FAR calculations for main building and accessory building
For Permit B1400387

Two minor issues raised were the shadow diagram which has been attached a separate exhibit. The drawing shows the at winter equinox angle when the sun is at 29 deg and has the longest shadows- are no shadows on neighbors from the proposed addition. The issue of the remaining 13' connection from the 35' restricted area to the carriage house is a legal addition if the rear yard variance is granted by the board. Even without a variance this portions of the addition to the carriage house is allowable.

The applicant believes the proposed adjustment to the application in plan and elevation, with the existing and additional screening meets the standards required for Board approval of this Variance and Special Exception.