



GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 3D
PO Box 40486, Palisades Station
Washington, DC 20016

*PALISADES – KENT - SPRING VALLEY - WESLEY HEIGHTS - NEW MEXICO/CATHEDRAL –
THE AMERICAN UNIVERSITY - FOXHALL VILLAGE -BERKELEY*

January 18, 2016

Ms. Marnique Y. Heath
Chairperson
DC Board of Zoning Adjustment
441 4th Street NW
Suite 200S
Washington, DC 20001

RE: Application 18983 of Carrie and Phong Trieu, pursuant to 11 DCMR §3104.1, for a special exception under § 223, not meeting the lot occupancy requirements under § 403, to construct an addition to a detached garage in the R-1-B District at premises 5236 Sherier Place, NW (Square 1415, Lot 85).

Dear Chairperson Heath and Members of the BZA:

At its regularly scheduled meeting on Wednesday, January 6, 2016, held in Conference Room 2 of the Sibley Memorial Hospital Medical Office Building, located at 5215 Loughboro Road, NW, with a quorum (5) present at all times, Advisory Neighborhood Commission 3D (ANC 3D) voted 7-0-0 to oppose BZA Application No. 18983.

Application No. 18983 has been before ANC 3D for over one year and the use of the subject garage has changed several times. In addition, ANC 3D has supported several hearing postponements.

Currently, Application No. 18983 is for an addition to an existing detached garage, however plans presented by Michael Alan Finn, Mr. and Mrs. Trieu's architect, indicate a new structure will be built, which will increase lot occupancy from the existing 41 percent to 50 percent in a zone district where lot occupancy is limited to 40 percent. The existing garage is not accessible from the street due to the placement of HVAC units in the side yard, which no longer provides driveway access to the rear of the property where the garage is located. Alley access to the rear of the property does not exist. One off-street parking space is provided in the side yard.

Lot 85 in Square 1415 at 5236 Sherier Place, NW is a substandard lot, providing 3011 sq. ft. where 5000 sq. ft. are required in an R-1-B zone. Lot width is 28.92 ft. where 50 ft. are required. Lot occupancy is at 41 percent where 40 percent is allowed.

The adjacent neighbor appeared before ANC 3D and expressed strong opposition to the size and height of the proposed structure which would occupy a shared property line. He noted he had only recently become aware of the actual proposal because of the placard posted at the front of the property. Other neighbors, who submitted form letters, dated February 17, 2015, referred to the structure as a replacement "shed." [According to Webster's a shed is defined as, "a slight structure built for shelter or storage; a single-storied building with one or more sides unenclosed."]

ANC 3D wishes to thank the Office of the Zoning Administrator for letters submitted to the file as Exhibits No. 7 (dated February 2, 2015) and No. 34 (dated November 23, 2015), which provided the zoning guidance necessary for ANC 3D to deliberate and reach consensus on the application. As of January 6, 2016, a completed application, with narrative, had not been submitted by the applicant.

The Office of Planning, when contacted, stated that the applicant had been dealing directly with the Zoning Administrator and referred ANC 3D to DCRA for information on the zoning application.

ANC 3D based its decision on zoning guidance provided by the Zoning Administrator; the presentation by the applicant's architect; existing lot conditions and lot occupancy exceedance; the plans submitted; the testimony of the adjacent neighbor; form letters from other neighbors; and, the proposed lot occupancy exceedance which would occur if the Special Exception were approved.

ANC 3D voted unanimously, 7-0-0, to oppose Application No. 18983 for an addition to a detached garage in the R-1-B district.

ANC 3D did not oppose replacement of the existing garage structure, which currently exceeds lot occupancy, under the following conditions:

ANC 3D voted unanimously 7-0-0 to support a special exception from § 223 for construction of a new accessory garage structure provided the footprint of the existing accessory garage structure does not change or increase, and height does not exceed 15 ft; ANC 3D supports granting the Special Exception from § 223 provided lot occupancy at Lot 85 in Square 1415 does not exceed the current lot occupancy or 41 percent; and, ANC 3D supports granting the Special Exception from § 223 provided one off-street parking space is provided in accordance with the requirements of § 2116.4(b).

ANC 3D asks that the Board of Zoning Adjustment grants its unanimous votes the Great Weight to which they are entitled under DC Law.

ANC 3D will be represented at the hearing on January 26, 2016, by Alma H. Gates, Single Member District Commissioner for 3D05.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom Smith".

Thomas M. Smith
Chair