

Testimony of the Capitol Hill Restoration Society before the District of Columbia Board of Zoning Adjustment, April 5, 2015

BZA # 18992, 1015 E Street, SE

My name is Gary Peterson, I am chair of the Capitol Hill Restoration Society (CHRS) Zoning Committee and I am testifying on behalf of CHRS. The CHRS Zoning Committee considered this case on April 9, 2015, and voted unanimously to support the variance for the existing nonconforming side yard, but to oppose the variance for the extension of the side yard. We support the objections of the landowners to the east

The applicant in this case owns not only 1015 E Street, SE, but also owns the abutting property at 1013 E. It is our opinion that these two lots should be considered, for the purposes of this case, as one. You may do this pursuant to the definition of a lot that states “. . .A lot may or may not be the land so recorded on the records of the Surveyor of the District of Columbia.” Using both lots allows the owner to honor the eastern footprint of the building at 1015 and to still have the flexibility to have the number of units he desires because he can fill in the western side where the new construction begins and connect to 1013.

The HPRB found, when it considered vastly different plans involving this property that:

1012-1015 E Street SE, HPA 14-720 and 14-721, concept/alterations and rear additions.
The Board found the concept and subdivision (lot combination) to be incompatible with the Capitol Hill historic. Vote: 6-2 (Wilson absent).

The HPRB has not ruled out the issue of combination in this case because the plans are totally different.

This board has had similar cases where the nonconforming side yard has been converted to a nonconforming open court by a rear addition. Although the Historic Preservation Review Board would prefer to keep side yards open, it has approved converting them into open courts in the past and you have had cases involving closing side yards on these properties.

For these reasons, the variance for the extension of the side yard should be denied