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John E. Fletcher, Jr.
113 10th Street NE
Washington DC 20002
jeff_tara@comcast.net
202-546-0817

November 18, 2015

Mr. Clifford Moy
Secretary
D.C. Board of Zoning Adjustment
441 4th Street NW, Suite 210
Washington DC 20001

Re: BZA Case 19108 (134 11th Street NE)

Dear Mr. Moy:

I am writing to object to the proposed garage roof top deck portion of the project referenced above.

I support the proposal to build a garage but object strongly to the roof top deck element of the proposed plans.

Several other neighbors (Cathy and David Douglas of 115 10th NE, Karen and Winfield Sealander of 111 10th NE, and Mark Ugoretz (1000 Massachusetts Avenue NE) have written letters opposing the roof top deck. The Historic Preservation Committee of the Capitol Hill Restoration Society also opposes the roof top deck portion of project. Copies of these materials are enclosed.

On a narrow 3-2 vote, this garage roof top deck proposal, with modifications, passed the ANC on November 12. The modifications required by the committee included a green roof setting the roof deck back seven feet from the alley and an increase in the height of the parapet wall to 15 feet.

Despite these modifications, I continue to object to the roof top deck portion of project. I have several concerns related to the historic character of our alley and about privacy and noise.

There are no garage roof top decks in our alley at present. Approval of this project would set an unfortunate precedent for our alley and create yet another incompatible use in the Historic District. Alley garages in the Historic District should be utilitarian structures, not extensions of outdoor living space. This project introduces a recreational element that is inappropriate and incompatible with the structures in our historic alley. Already we have heard rumors that other 11th Street

Mr. Clifford Moy

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neighbors are considering adding decks to their 1-story garages if this project is approved.

Even with modifications, the proposed garage roof top deck would impinge on the privacy of approximately a dozen other properties bordering the alley. Despite a small setback and higher balustrade, the roof deck would provide a clear sightline into the back windows and back yards of my house and others. I believe that the deck compromises our household's privacy and will detract from my enjoyment and use of my property. Other neighbors feel the same. I also object to the deck because of its noise potential, which further compromises privacy. The proposed deck is in the center "T" of the alley, the busiest part, and its height would cause the sound from parties or music to reverberate throughout the nearby area, causing a repeat of problems we have had with house roof top decks recently.

I have had discussions with the applicants about their proposal. I told them that I had no problem with the garage but that I opposed the roof top deck. I reminded them that if they needed additional deck space there are non-intrusive ways to achieve that goal, such as creating a lower-lying deck in their back yard that would not count against lot occupancy. That is what I have done, and my lot size situation is no different from theirs.

I urge you to oppose the roof top deck element of this garage proposal.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Fletcher, Jr.", with a long, sweeping horizontal line extending to the right.

John E. Fletcher, Jr

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jeff_tara@comcast.net
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Garage Roof Deck: In Support of Objector

From : Mark Ugoretz <mugoretz@gmail.com>

Mon, Oct 19, 2015 11:06 AM

Subject : Garage Roof Deck: In Support of Objector**To :** dpgolden@gmail.com**To:** Dan Golden, Co-Chair; Andrew Hysell, Co-Chair
ANC 6A Economic Development and Zoning Committee**Fr:** Mark J. Ugoretz, 1000 Massachusetts Ave., NE

I am writing in support of the objections raised to the requested exception to permit construction of a proposed roof deck on the top of a garage located at 134 11th St. NE. My home is within the 200 foot distance from the proposed deck.

The deck on top of the proposed garage is outside the limits of the requirements for historic preservation and would set an unwelcome precedent leading to a host of similar decks on roofs and garages throughout the historic district.

The deck would seriously impinge on and unduly compromise neighboring residents' privacy since the deck is close to and would permit sighting into the homes and bedrooms and other rooms within visual range as well as noise from music, parties, and conversations.

Since many of these decks are often used for parties, the deck would seriously increase the propensity for increased noise and disruption of neighbors' peace and quiet enjoyment of their own homes. Recently, for example, police were called to halt late night loud music and raucous behavior at a neighboring roof deck in the 1000 block of Massachusetts Avenue, NE. Other roof decks have also been the subject of similar complaints. Since this deck is lower than a conventional roof deck, the propensity for noise and visual trespass is greater. Even if the current residents contend that they do not intend the deck for loud parties, any future owners would not be held to the current resident's avowed intentions.

The garage roof deck is, moreover, not necessary since there appears to be ample room, even after construction of the garage, for enjoyment of the yard and existing porches.

I do not object to the construction of a new proposed garage but only to the addition of a roof deck.

Mark Ugoretz
mugoretz@gmail.com

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jeff_tara@comcast.net
± Font Size**134 11th Street NE--BZA 19108 (also HPA 15-633)****From :** Winfield Sealander <wsealander@sealanderbrokerage.com>

Fri, Oct 16, 2015 03:07 PM

Subject : 134 11th Street NE--BZA 19108 (also HPA 15-633)**To :** dpgolden@gmail.com**Cc :** Karen & Winfield Sealander <ksealander@mwe.com>, jeff tara <jeff_tara@comcast.net>

October 16, 2015

To: Dan Golden and Andrew Hysell, Co-Chairs
ANC6A Economic Development and Zoning Committee

From: Winfield and Karen Sealander
111 10th Street NE
Mobile # 202-321-7024
wsealander@sealanderbrokerage.com

Subject: Garage Roof Deck Construction at 134 11th Street NE--BZA 19108 (also HPA 15-633)

To Whom it May Concern:

I am writing **to object** to the proposed roof deck portion of the project referenced above.

I live across the alley at 111 10th Street N.E. Washington, D.C. , the back of my lot is 50 feet away from the proposed construction. I agree with my other neighbors on the following concerns: 1) the approval of a roof top deck would be an incompatible use in the Historic District and would set an unfortunate precedent for our alley; 2) according to HPO, garages in the Historic District are designed to be utilitarian structures, not extensions of outdoor recreation space; and 3) the proposed roof deck's height, which is visible from the 10th Street alley entrance, is incompatible with the one-story garages immediately to the north and to the west.

I also agree with my neighbors relating to privacy.

The proposed roof deck impinges on my privacy and on that of other properties bordering the alley.

In considering new projects, the zoning regulations state: "The privacy of use and enjoyment of neighboring properties shall not be unduly compromised." The proposed roof top deck at 134 11th Street NE compromises the privacy of homeowners and renters whose homes border on the alley.

I also object to the proposal because of the noise potential of the deck. The deck would be used for parties and gatherings; the deck would be right on the alley lot line; and standing

deck users would be 15-20 feet above the alley, with no fence shielding nearby residents from loud conversations, music, or other noise.

I have no problem with my neighbors at 134 11th Street N.E. constructing a garage but I oppose the roof top deck.

I urge you and the committee to reject the roof top deck element of this garage proposal

Thank you for your consideration of these comments.

Winfield Sealander

CHRS letter

134 11th Street NE, HPA 15-633, concept/new garage with roof deck

On October 5, 2015, the Historic Preservation Committee of the Capitol Hill Restoration Society reviewed the plans for this project dated September 2015 and offers the following comments:

The applicants propose to remove existing balconies on the first and second story of the this rowhouse and construct a new brick garage with roof deck (9 feet 6 inches, plus a 3-foot guardrail in height) in the vacant space at the rear of this rowhouse. In the alley, several lots have no structures at the rear of the lot, as the applicants note; there are at least six single story garages, and several two-story carriage houses. As far as we can determine, there are no roof decks on any existing structures on the rear of lots on the alley.

In a recent publication, HPO notes that Capitol Hill has a significant number of garages, and describes garages:

Building Style and Characteristics: The standard garage form—a small, one-story, single-bay structure—was fully developed and widely built by the 1910s. Typically, the garage is purely utilitarian with a garage door opening on the front, sometimes a window on one side wall, flat roof, and little or no ornamentation. Garages were built as freestanding structures and as attached structures, both independently and together. HPO, *DC Historic Alley Buildings Survey*. 22.

Garages are utilitarian buildings, not locations for recreation. The project would introduce a recreational element for the first time, and also set a precedent for allowing roof decks on garages. For these reasons, we believe that a garage roof deck is not compatible with the Capitol Hill Historic District.

We understand that at least one neighbor opposes the roof deck element. We suggest that that vertical glass block element on the west elevation facing the alley be replaced with solid brick, to create an appearance compatible with the other brick buildings in the alley.

We believe that the garage, with the exception of the roof deck, is compatible with the Capitol Hill Historic District.

Thank you for considering our comments.

Beth Purcell
Chair, Historic Preservation Committee
Capitol Hill Restoration Society

Subject : Garage Roof Deck at 134 11th Street NE

To : hysell6a06@gmail.com, Dan Golden <dpgolden@gmail.com>

Dear Dan Golden and Andrew Hysell, Co-chairs of the ANC 6A Economic Development and Zoning Committee:

This is concerning a notice about a proposal from the Vold's at 134 11th NE to build a garage with a roof top deck.

As the neighbors directly across the alley, we are very much opposed to the rooftop deck portion of their project for the reasons stated further below (see REASONS).

As an affected neighbor, I hope you agree that a rooftop deck smack in the middle of the alley is a bad idea.

I am registering my opposition to the rooftop deck portion of the project with my local ANC committee (you) responsible for historic preservation and zoning matters.

REASONS FOR OPPOSITION

I have serious concerns about the historic preservation aspects of this proposal to HPO:

- 1) there currently are no garage roof decks in the alley;
- 2) approval of a roof top deck would be an incompatible use in the Historic District and would set an unfortunate precedent for our alley;
- 3) according to HPO, garages in the Historic District are designed to be utilitarian structures, not extensions of outdoor recreation space; and
- 4) the proposed roof deck's height, which is visible from the 10th Street alley entrance, is incompatible with the one-story garages immediately to the north and to the west.

There is, however, an even more serious problem with the proposed roof deck from a zoning perspective, and that problem relates to PRIVACY.

I am opposed to the roof deck because it impinges on our backyard urban privacy which is a huge value to our home; it also impinges on that of approximately a dozen other properties bordering the alley. The roof deck would provide a clear sightline and bird's eye view into the back windows and back yards of my house and the residences of others.

In considering new projects, the zoning regulations state: "The privacy of use and enjoyment of neighboring properties shall not be unduly compromised." The proposed roof top deck at 134 11th Street NE clearly compromises the privacy of homeowners and renters whose homes border on the alley.

I also object to the proposal because of the noise potential of the deck. The deck would be used for parties and gatherings; the deck would be right on the alley lot line; and standing deck users would be 15-20 feet above the alley, with no fence shielding nearby residents from loud conversations, music, or other noise.

I have had some discussions with the applicants about their proposal. I told them that I had no problem with the garage but that I opposed the roof top deck. I reminded them that if they need additional deck space, there are less intrusive ways to achieve that goal, such as creating a low-lying deck that would not count against lot occupancy.

I urge you and the committee to reject the roof top deck element of this garage proposal and send the proposed plans back to the application for modification and re-submission.

Thank you for your consideration of these comments.

Cathy & David Douglas

115 10th Street NE