

November 4, 2015

Board of Zoning Adjustment

441 4th St NW #200 South

Washington, DC 20001

Re: BZA case #19112

Dear Board Chair,

I am writing as a deeply concerned member of the 300 block of Taylor Street community on the proposed development of 307 Taylor Street NW (BZA Case #19112). I am a 40-year denizen of the Petworth/Park View neighborhood. My grandparents bought a home here in the 1960s (where they lived for 30 years) so my father could attend Roosevelt High School. Both my parents lived in this community during and after college in the 1970s. The character of the neighborhood attracted my wife and I to buy a home here five years ago and raise our son who will be the fourth generation to live in this community.

I understand that current property rights allow the Owners to convert the existing single family home to a two-unit dwelling and expand as high as 35 feet and back as far as an additional 40 feet. After meeting with the Owners, my understanding is that they are seeking a special exception to allow the conversion of a residential structure into a three-unit apartment house including extending the existing structure the maximum 40 feet, adding a rear stair, and significantly altering the street façade. As a neighbor and a member of the community, at this time I am strongly opposed to the special exception. While I respect property rights, I believe it is the intention of the current Owners to divest themselves of any stake in the property as quickly after completion as possible. For this reason, I do not believe that their actions will be largely motivated by best interests of the existing community unless the adjacent neighbors have a meaningful voice in the proposed development.

While the community feels the best and highest use of the property would be its current use as a single family property, a concerned group of neighbors met with the current Owners and afterwards presented a "wish list" of items that I believe were a reasonable starting point for an agreement that would be acceptable to all stakeholders. In my opinion, the response from the Owners clearly indicated that they do not plan to seek a solution with the neighborhood's best interest in mind. As a condition of any special exception consideration, I would like to see the Owners make a sincere effort to engage the neighbors on the following concerns and modify the current design accordingly:

- The proposed development for 307 Taylor Street is neither appropriate nor compatible with the existing neighborhood. The surrounding community is primarily three bedroom single family homes. Converting 307 Taylor Street NW into (3) three bedroom condos will simultaneously triple the property density and decrease the neighborhood cost per dwelling. The expanded FAR will also dwarf the surrounding dwellings. I strongly urge the ANC to oppose and the BZA to deny the special exception while the Owners work with the surrounding community to proffer a modified development plan that is more compatible with the existing neighborhood as a condition of granting the special exception.
- The proposed development is misrepresenting the intended occupancy to avoid compliance with important fire code requirements. The plans clearly demonstrate an intent that each unit will be marketed and occupied as a three bedroom condo despite the fact that only one room in each unit is labeled as a bedroom. The two rooms labeled as dens appear to be an attempt to subvert the building and fire code requirement that bedrooms have access to light as well as a dependable means of egress in the event of a fire. Once the units are occupied as private residences, it will be nearly impossible to regulate how they are occupied, so I strongly urge the ANC to oppose and BZA to deny the request for special exception unless the Owner proffers a binding agreement as a condition of granting the special exception to limit the development to (3) two-bedroom condos with no dens. In the event that the Owner chooses to move forward without the special exception, I strongly urge DCRA to deny a building permit unless rooms that are intended to be use as bedrooms meet the spirit and the letter of the law for all building and fire code requirements.
- The proposed building expansion will have a negative impact on the quality of life for surrounding neighbors. In addition to blocking direct sunlight to the adjacent properties, doubling the footprint of the existing structure by expanding 40 feet into the rear yard will increase the impervious area. The increased development will cause light trespass for the adjacent neighbors. Rainwater that now has an opportunity to infiltrate the ground within the property boundaries will have to be directed into an already heavily taxed storm water system or will back up onto

Board of Zoning Adjustment
District of Columbia
CASE NO.19112
EXHIBIT NO.29

adjacent properties where it could have adverse effects including flooding, interior water damage, undermining, and scouring. Reducing the building expansion will reduce the increase in impervious area mitigating the potential damage. Existing views to the north and south will be blocked by the building expansion making the neighbor's current outdoor spaces far less desirable/valuable. The proposed units will almost certainly require more parking than can be provided on site, adding to the number of cars seeking on street parking and exacerbating a growing parking problem in the community. The development will also require removal of a mature canopy tree that shades several properties. I strongly urge the ANC to oppose and the BZA to deny the special exception while the Owners work with the surrounding community to proffer a binding agreement that has less potential impact on the community in which the current neighbors and future residents of the project will reside.

- The proposed modifications to the street elevation are drastic, incompatible with the existing neighborhood, and unnecessary. The proposed development plans seeks to remove the porch roof that is a common and recognizable element of the Wardman style homes that characterize the neighborhood. In past developments where removal of the porch has been allowed, the resulting facade looks like a missing tooth. After reviewing the proposed plans, I see no practical reason why the porch roof cannot be preserved/restored as part of the property development. I strongly urge the ANC to oppose and the BZA to deny the special exception until the Owner proffers a binding agreement acceptable to the neighbors to restore the existing porch roof and maintain the architectural features (cornice, window sills and lintels, brick course patterns, etc.) that are currently common on existing homes in their original condition.
- The proposed roof deck does not add any meaningful addition to the building but requires an access stair enclosure above the existing roof line and an exterior rear stair. Eliminating the roof deck or making it part of the existing upper floor will greatly reduce the overall massing of the building with minimal impact to its function. The rear stair also provides ready access to the roof every house on the north side of the 300 block of Taylor Street NW which is a security concern for the neighbors. Skylights and roof hatches that are currently not easily accessible will have to be secured against break-ins. I strongly urge the ANC to oppose and the BZA to deny the special exception for any design that includes a roof deck or rear exterior stair.

The efforts in recent years against pop ups have been largely based on exactly what this development is proposing to do – exhaust the allowable building footprint while needlessly increasing density and sacrificing quality of life for the surrounding neighborhood. The Owners have cited financial impact as a need for granting the special exception. Reduced profit traditionally is not and should not be the basis for granting a special exception.

I strongly urge the ANC to formally oppose and the BZA to deny the special exception request until the Owners meet and discuss, in a good faith effort, a proposed development plan acceptable to both parties and proffer a binding development agreement. I believe there is a mutually agreeable plan that can be developed in a reasonable timeframe which balances the Owners' rights with the community concerns. Once that agreement is reached and a binding agreement is proffered, I would be willing to support the requested special exception.

Sincerely,

Marcus Hurley

3rd and Taylor Streets NW

Washington, DC 20011

cc: Kathleen Crowley, ANC 4C10

Submitted on 11/5/2015 by:

Marcus Hurley

3rd and Taylor Street NW