



**BEFORE THE ZONING COMMISSION AND
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA**



FORM 129 – ADVISORY NEIGHBORHOOD COMMISSION (ANC) REPORT

Before completing this form, please review the instructions on the reverse side.

Pursuant to §§ 3012.5 and 3115.1 of Title 11 DCMR Zoning Regulations, the written report of the Advisory Neighborhood Commission (ANC) shall contain the following information:

IDENTIFICATION OF APPEAL, PETITION, OR APPLICATION:

Case No.:	19629	Case Name:	Application of Timothy and Charlotte Lawrence
Address or Square/Lot(s) of Property:	1665 Harvard Street NW		
Relief Requested:	Special exceptions and variances		

ANC MEETING INFORMATION

Date of ANC Public Meeting:	2	0	/	0	2	/	1	8	Was proper notice given?:	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Description of how notice was given:	Posters, four in each SMD; postings on two neighborhood internet bulletin boards, notice on ANC1D website												
Number of members that constitutes a quorum:	3			Number of members present at the meeting:	5								

MATERIAL SUBSTANCE

The issues and concerns of the ANC about the appeal, petition, or application as related to the standards of the Zoning Regulations against which the appeal, petition, or application must be judged (*a separate sheet of paper may be used*):

Please see the ANC resolution text, attached.

The recommendation, if any, of the ANC as to the disposition of the appeal, petition, or application (*a separate sheet of paper may be used*):


ANC1D advises the Board of Zoning Adjustment to deny the special exceptions and variances.

AUTHORIZATION

ANC	1	D	Recorded vote on the motion to adopt the report (i.e. 4-1-1):	5-0-0
Name of the person authorized by the ANC to present the report:				
Name of the Chairperson or Vice-Chairperson authorized to sign the report:				
Signature of Chairperson/ Vice-Chairperson:			Date:	Feb 20 2018

ANY APPLICATION THAT IS FOUND TO BE INCOMPLETE MAY NOT BE ACCORDED "GREAT WEIGHT" PURSUANT TO 11 DCMR §§ 3012 AND 3115.

Board of Zoning Adjustment
District of Columbia
CASE NO. 19629
EXHIBIT NO.79

<p>1D01: Jon Stewart Chairperson jonstewart.anc1d01@gmail.com</p>	<p align="center">Mount Pleasant Advisory Neighborhood Commission</p> <p align="center">  1380 Monroe St NW, #117 Washington DC 20010 </p>	<p>1D04: Yasmin Romero-Latin Vice Chairperson yasminkikiANC1D04@yahoo.com</p>
<p>1D02: Paul Karrer paulanc1d@gmail.com</p>		<p>1D05: Stuart Karaffa Treasurer stuart.k.anc@gmail.com</p>
<p>1D03: Jack McKay Secretary jack@dcjack.org</p>		<p>Website: anc1d.org e-mail: anc1d@googlegroups.com</p>

Deny Special Exception and Variances for 1665 Harvard St NW

Resolved, that ANC1D advises the Board of Zoning Adjustment to deny the Special Exceptions and variances requested for 1665 Harvard St NW, Case 19629.

Why: This Commission appreciates the substantial reduction in size made by the applicant, responding to concerns expressed last fall. The height of the structure has been reduced from over 20 feet to 15 feet, and what was a garage and an alley apartment is now only a garage with overhead storage.

This Commission has no objection to an alley garage, *per se*. Under ordinary circumstances, this Commission would not object to the BZA allowing variances to permit a garage. This is, however, no ordinary circumstance. This situation is unique because the location of this tiny lot is directly behind the dwelling at 1701 Harvard Street, which is home to a different owner than the owner of the alley lot in question.

The current application is similar to that filed in 2008 for this location, a garage which was to be 16 feet tall. In October 2008, this ANC advised, by unanimous vote, against permitting variances for that proposal, arguing as follows:

“Any building constructed on this tiny lot would face the rear of the home on lot 826, 1701 Harvard Street. With a roof height of 16 feet above the back-yard ground level, only 17 feet from the existing row house at 1701 Harvard, this construction will clearly have an adverse effect on the light and air of that dwelling.

“Though some neighbors favor this construction, the residents of 1701 Harvard are very unhappy at the prospect of a garage being built on that location. They have a valid complaint, and ANC1D advises that this application for a zoning variance be denied.”

The current application only slightly modifies these dimensions. The proposed structure is 15 feet tall and would be 19 feet from the back of the 1701 dwelling. These reductions are not sufficient to overcome the clear fact that this



construction would “box in” the backyard of 1701 Harvard and would obstruct all view from the top-floor windows of that home. The fence visible in the photograph is six feet tall, so the proposed garage would tower nine feet over it and would match the overall height of the 1701 Harvard residence.

On a communitywide level, another detriment to the public good would be how the proposed garage would obstruct pedestrian sightlines between a public walkway alongside the 1701 Harvard lot (taking the place of a nonexistent block of 17th Street) to a public alleyway. Currently, the lack of any structure in this lot allows pedestrians a clear view of oncoming alley traffic from the west (see Figure 1). The construction of a garage on this lot without considerable side setback will greatly reduce the ability of pedestrians to see oncoming traffic and thus increases the chance of cars hitting pedestrians (see Figure 2).

In order to permit a variance, the BZA must find that “granting the request would not cause substantial detriment to the public good. This Commission believes that, due to the height of the proposed garage, on this very awkwardly situated lot, its construction would be a “detriment to the public good” of the adjacent neighboring properties (and especially the neighbors at 1701 Harvard).

FIGURE 1: Current unobstructed sightlines

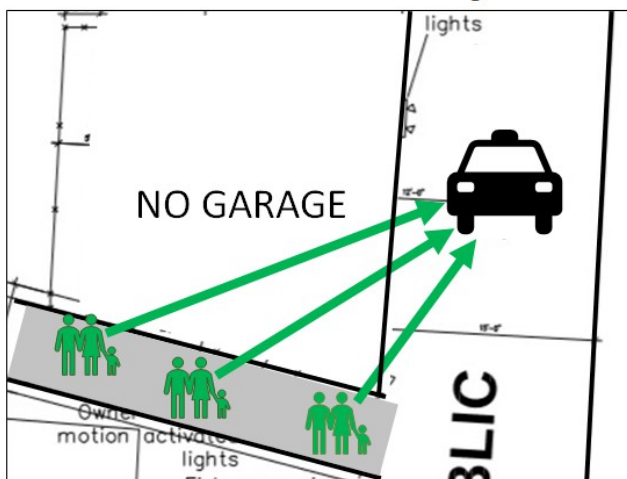
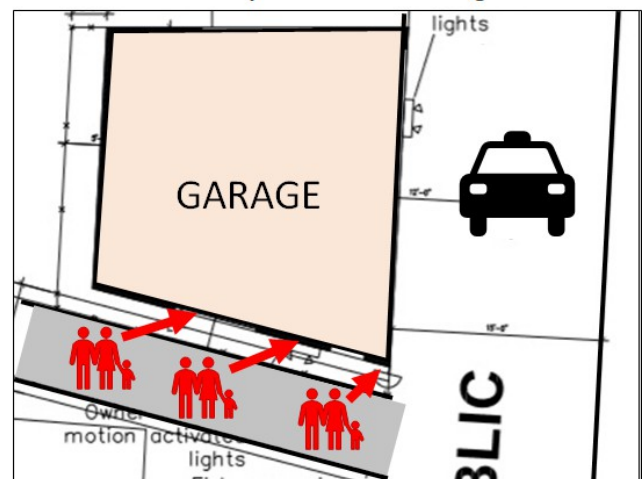


FIGURE 2: Proposed obstructed sightlines



Furthermore, the BZA must also find that “granting the request... would not be inconsistent with the general intent and purpose of the Zoning Regulations”. The Zoning Regulations for Mount Pleasant’s RF-1 district are explicitly intended to “Control the location of building bulk in relation to adjacent lots and streets, by regulating rear setbacks, side setbacks, and the relationship of buildings to street lot lines” to avoid proximate obstructions as will occur if the BZA approves this application. Thus, the approval of this application would be inconsistent with that objective of controlling building bulk in relation to neighboring lots.

Resolution passed, 5 to 0 vote, at the legally noticed, public meeting of ANCID on February 20, 2018, with a quorum present. Voting “yes”: Commissioners Karaffa, Romero-Latin, Stewart, Karrer, McKay. A quorum for this commission is three; five commissioners were present.

Advisory Neighborhood Commission 1D
Jack McKay, Secretary
jack@dcjack.org

February 20, 2018

VIA IZIS

Frederick L. Hill
Chairperson
Board of Zoning Adjustment
441 4th St. NW, Suite 210 South
Washington, DC 20001

Re: Application No. 19629 (Lawrence)

Dear Chairperson Hill & Members of the Board:

On February 7, this ANC requested a waiver of the 7-day ANC report filing requirement, on the grounds that the applicant had submitted a substantial revision of his design, via IZIS, on January 31. We noted that “the first opportunity this ANC will have to review the revised plans in public session will be at our regularly scheduled monthly meeting of February 20, 2018. That will be, of course, the evening before the day of the BZA hearing.”

In view of the 7-days requirement, we asked, “will the BZA waive the requirement for seven days' notice, and permit this ANC to submit its report the evening of February 20, immediately following our public meeting, so it would be awaiting the Board members the morning of February 21? If that is not possible, or would in any way compromise the status of the ANC report at the February 21 hearing, then of course we would have to request a postponement to February 28.”

We have seen no reply to our inquiry of February 7. We proceeded to consider the revised design for 1655 Harvard at our February 20 meeting, and prepared a report, accordingly. We are now distressed to find that the IZIS system refuses to accept our report, because we're not 7 days prior to the BZA hearing.

This is, we think, unreasonable. If it was going to be impossible for us to turn in our report on February 20, then the BZA hearing should surely have been postponed until February 28, as we suggested.



Jack McKay
Secretary, ANC1D