

Cochran, Patricia (DCOZ)

From: Bardin, Sara (DCOZ)
Sent: Thursday, April 19, 2018 1:06 PM
To: DCOZ - BZA Submissions (DCOZ)
Subject: FW: 19633a

Sara Bardin

Director

Office of Zoning | District of Columbia Government

441 4th Street, NW | Suite 200-S | Washington, DC 20001
(202) 727-5372 (office) | (202) 727-6072 (fax)

www.dcoz.dc.gov | sara.bardin@dc.gov

From: Gail J <gailjubca@gmail.com>
Sent: Thursday, April 19, 2018 1:03 PM
To: Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: Fwd: 19633a

Begin forwarded message:

From: Gail J <gailjubca@gmail.com>
Date: April 9, 2018 at 1:03:39 PM EDT

Hi Sara

Re: Application 19633a
3629 T St NW

I write to question whether this application should be on the BZA agenda as a request for modification of a special exception the BZA has granted. Specifically, do the special exception provisions of the Zoning Regulations apply to the relief requested here? If not, I ask that action be taken so that the BZA does not consider the application as a special exception request.

This Application seeks a “significant” modification to a BZA order. It requests approval for a vestibule in the front of the house at 3629 T St. NW. The original relief that was requested and granted by the BZA was specifically for the rear addition to this house. Nothing more was requested or granted. The BZA did not address construction of a vestibule although the plans provided to the BZA Included one. However, when the plans were sent to DCRA for the permit review, Shawn Gibbs specifically responded that the vestibule is “subject to B-315. The applicant will be required to demonstrate compliance.” There is no

Board of Zoning Adjustment
District of Columbia
CASE NO.19633A
EXHIBIT NO.28

reference to Subtitle D or X of the Zoning Regulations as Subtitle B specifically applies.

Section B-315 does not appear to be covered by any special exception process. In its application for “relief” here to build a vestibule, the Applicant states that “the standard for review is identical to the relief requested for the rear setback requirement (11-D-5201.1)...” But D-5201.1 lists the development standards that are available for modification through a special exception to be granted by the BZA process and does not include the front setback. Further the right for the BZA to hear and grant a special exception for a rear addition is specified in D-12 1206.4 which also doesn't mention vestibules or front setbacks. Thus, there is no provision for special exception relief from the front setback requirements listed in D-12 1205, or in Subtitle B.

Adding a projection to the front of the house other than what is specified is not permitted (B-315.2). A vestibule is not permitted. There is nothing that appears to permit the BZA to hear this “appeal” through Subtitle B or Subtitle D-1205 or D-5201, or Subtitle X-901.2

This application for a modification concerns the building facade, which is clearly and specifically addressed in Subtitle B-315 and (D-1205). How can this application be a modification of the original application, or of the BZA Order in Case 19633 for approval of a rear addition?

Regards,

Gail Juppenlatz
Burleith

11-B
315 RULES OF MEASUREMENT FOR FRONT SETBACKS FOR
RESIDENTIAL HOUSE (R) AND RESIDENTIAL FLAT (RF) ZONES

315.1 A proposed building façade or structure facing a street lot line shall:

(a) Be located not closer to the street than the point of the building façade closest to the street, based on all the buildings located along the blockface;

(b) Be located not further back from the same street than the building façade furthest from the street, based on all the buildings located along the blockface; and

(c) In the case of an interior-lot attached or semi-detached building, not be further forward or further back than the building façade of one (1) of the immediately adjoining buildings.

315.2 A building façade shall be the façade of a building exclusive of the projections permitted through Subtitle B § 323.

323 PROJECTIONS INTO REQUIRED OPEN SPACES

323.1 Except for the projections and encroachments specified in this section and the exceptions in Subtitle B § 324, every part of a required yard or court or other required open space shall be open and unobstructed to the sky.

11-D

Chapter 12

1206.4 In the R-20 zone, a rear wall of an attached or semi-detached building may be constructed to extend farther than ten feet (10 ft.) beyond the farthest rear wall of any principal residential building on an adjoining property if approved as a special exception pursuant to Subtitle X, Chapter 9 and as evaluated against the criteria of Subtitle D §§ 5201.3(a) through 5201.3(d) and §§ 5201.4 through 5201.6.

CHAPTER 52 RELIEF FROM REQUIRED DEVELOPMENT STANDARDS

5201.1 The Board of Zoning Adjustment may approve as a special exception in the R zones relief from the following development standards of this subtitle, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:

- (a) Lot occupancy;
- (b) Yards;
- (c) Courts;
- (d) Minimum lot dimensions;
- (e) Pervious surface; and
- (f) The limitations on enlargements or additions to nonconforming structures as set forth in Subtitle C § 202.2.

SUBTITLE X GENERAL PROCEDURES

CHAPTER 9 SPECIAL EXCEPTIONS

901 SPECIAL EXCEPTION REVIEW STANDARDS

901.1 The Board of Zoning Adjustment will evaluate and either approve or deny a special exception application according to the standards of this section

901.2 The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:

(a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;