

April 3, 2018

To: Board of Zoning Adjustment
Office of Planning
Washington, DC

From: Meg Staines
1768 Lanier Pl NW, Washington, DC 20009
(443)745-4214

Re: BZA 19731 (1766 Lanier Place NW)
Request to Deny Application as Incomplete

The application for BZA 19731 (1766 Lanier Place NW) seeks Special Exception relief from U 320.2 and a waiver of U 320.2(h) that protects Architectural Elements in RF-1 zones. The Board should be aware of shortcomings in the application that would make it impossible for the BZA to conduct a review of this submission. The fact that the Office of Planning has indicated that the applicant will conduct further revisions (Exhibit 35) warrants a delay in this case so that the ANC and neighbors have sufficient time to review the application.

Issue: Number of Stories Miscalculated

The applicant mischaracterizes the existing row house as having 2 stories and a cellar (Exhibit 6).

Key to evaluating the property and its story count is the sunken patio in front. This sunken patio is greater than 5' from the building façade and thus does not qualify as an areaway that would be excluded as the Building Height Measurement Point (BHMP). The story count is taken at the BHMP, which is the existing grade at the midpoint of the building façade of the principal building that is closest to a street lot line. Page 25 of the ZA's exhibit (attached) for the Draft Zoning Text Amendment 17-18 includes a graphic that shows the BHMP for properties with areaways that exceed 5'. Using the guidelines in this exhibit, we know the BHMP at 1766 Lanier Place, NW would be at the lower patio/entryway, which is not as shown in the application drawings.

Thus, the lower level is considered a story (a basement). The proposed construction is therefore not eligible for a special exception review as it seeks to alter the Architectural Element and convert the structure to 3 units by adding an upper level 4th story (Exhibit 5), in violation of Title 11 Subtitle E 303.1 for both Height and Stories.

303.1 Except as specified elsewhere in this section, the maximum permitted height of buildings or structures and any additions thereto not including the penthouse, in an RF-1 zone shall not exceed thirty-five feet (35 ft.) and three (3) stories.

Issue: Interference with Chimney Functioning

Additionally, the application fails to include documentation to show my property's chimney with individual flues that would be rendered inoperable due to the proximity of the proposed upper floor addition. These should be further protected by Title 11 Subtitle E-206.1 (b).

206.1 In an RF zone district, the following provisions shall apply:

(b) Any addition, including a roof structure or penthouse, shall not block or impede the functioning of a chimney or other external vent compliant with any District of Columbia municipal code on an adjacent property. A chimney or other external vent must be existing and operative at the date of the building permit application for the addition; and

I would respectfully request that the Board deny this application or ensure its proper filing.



← Story 3

← Story 2

← Story 1