

Form 140- Party Status Request Continued

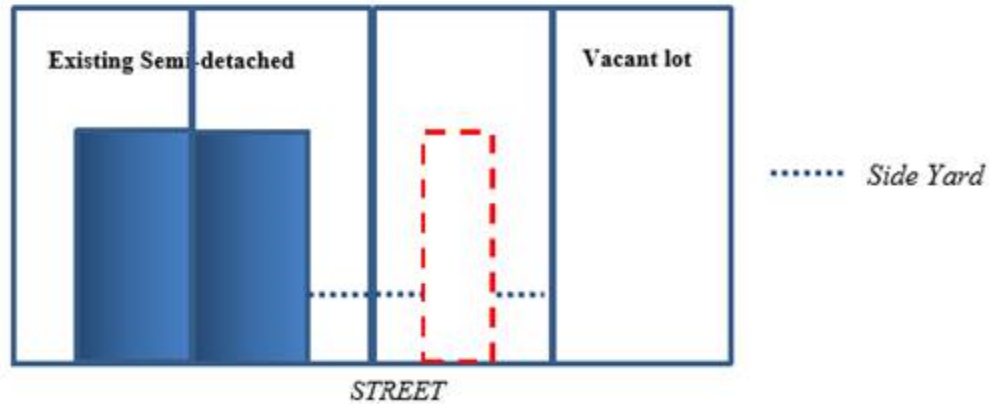
Honorable Chairman Hill and Members of the Board of Zoning Adjustment, I am a thirteen-year resident of a Historic Anacostia. My fourteenth year anniversary at 1926 15th Street SE is June 4, 2018. I am seeking party status to BZA case number 19736, for I am the closest neighbor to Mi Casa's proposed *1928 15th Street SE project* on the 1900 block of 15th Street SE side. My home (and its associated side yard) is only approximately three (3) feet away from Mi Casa's property line. I've attached associated pictures.

Per current code 307.4 Mi Casa is required to provide a side yard of 8ft. And while an 8-foot side yard may not be practical for this lot, Mi Casa's response should not be zero side yard as was its first proposed which is insensitive and then or only four (4) inches which is insulting when the minimum requirement is eight (8) feet. This was also expressed in OP's supplement report of May 18, 2018 which is file exhibit 48. OP noted the 4-inch side yard request would be ineffective for proper use.

Current 2016 Zoning Regulations definitions as defined and provide to the Zoning Commissioners at *Zoning Commission Public Hearing of April 19, 2018: Z.C. Case No. 17-23: Office of Planning*

<p>Building, Detached: A freestanding building that does not abut any other building and where all sides of the building are surrounded by yards or open areas within the lot.</p>
<p>Building, Semi-detached: A building that abuts or shares one (1) wall, on a side lot line, with another building on an adjoining lot and where the remaining sides of the building are surrounded by open areas or street lot lines.</p>
<p>Building, Attached: A building that abuts or shares walls on both side lot lines with other buildings on adjoining lots.</p>

The 2016 Regulations require a building to attach and share a common division wall to be considered attached or semi-detached. Buildings not sharing a common division wall must provide the required side yards. As a result, the 2016 Regulations would in effect require a detached building -- due to the absence of a common division wall -- in order to comply with the required side yards.



Please see the attached photos for the distances between the two properties if Mi Casa builds at the property line. This is not an adequate distance apart from each property. I would be adversely impacted if the BZA allows the request variance from the side yard requirement. In addition, if Mi Casa is allowed to build on the current property line that adjoins my property line, Mi Casa's contractors would literally be using my side yard to build its structure.

I hope that the BZA takes into consideration the challenges that existing homeowners have been dealing with during the infill development of abandon lots. My home has become an oppressive environment and lost some of its tranquility. It has disrupted the life that my household has integrated into having lived at 1926 15th Street- my home for a nearly 14 years. It is my understanding that the lot in this case (5766 800) has been abandon for over sixty 60 years.

I understand OP is in the process of providing the Zoning Commission with clarifications and recommendations to the current, in effect, Zoning codes i.e., the Text Amendments that are currently being drafted in 17-23. Any proposed changes in the interpretations of Subtitle D potentially affect me greatly. Specifically, existing and proposed side yard language which is a matter of contention for both homeowners and developers. As shown by the number of setdowns involved in this case. Changes directly related to side yards, corner lots and infills are the key matters of concern for this current case 19736.

Sincerely,

Dorcas Agyei,
Historic Anacostia Homeowner ANC-8A05



PROFESSIONAL HOME INSPECTIONS

HomeView™ Inspection Report

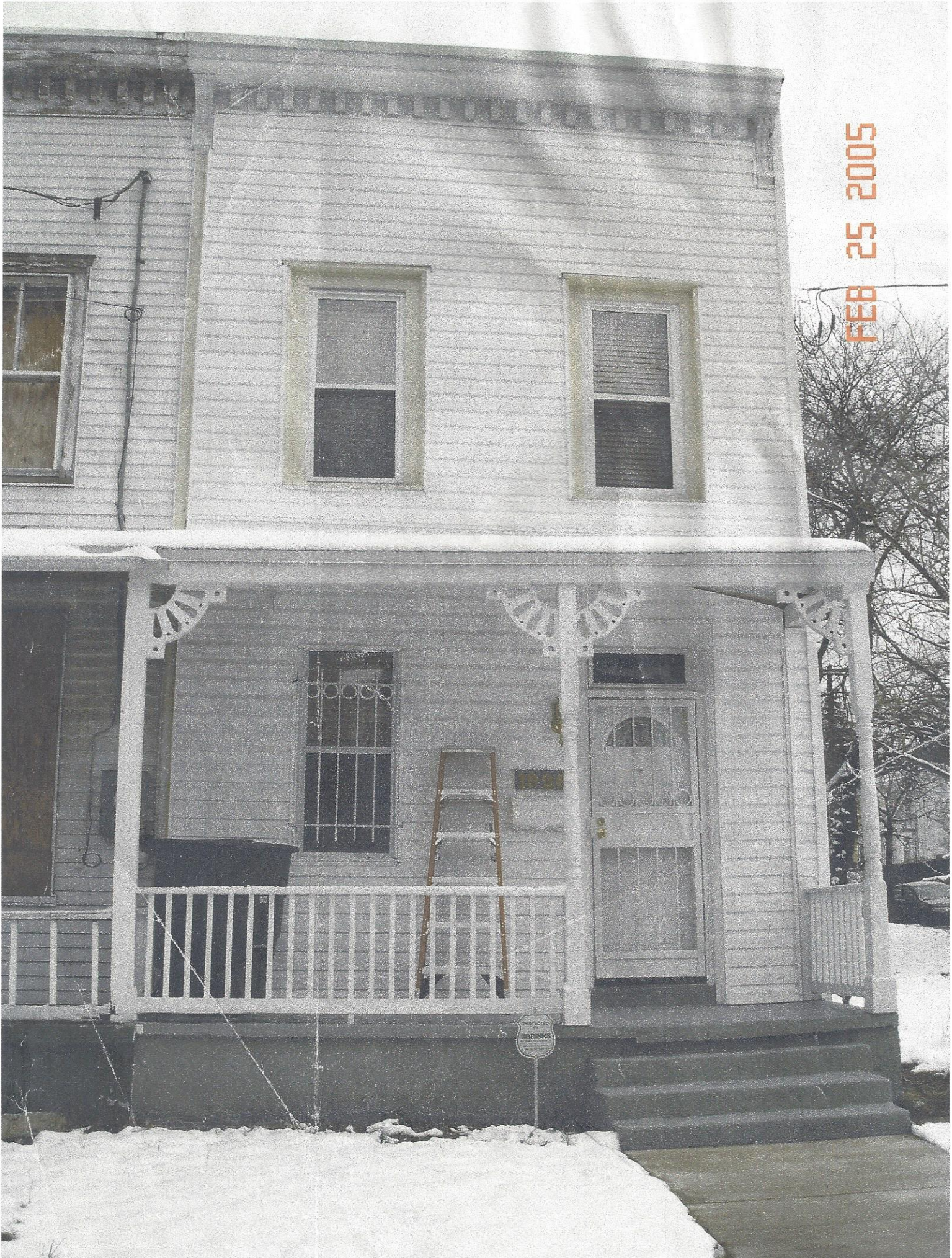


missing

**1926 15th Street SE
Washington, DC 20020**

May 12, 2004

www.usinspect.com

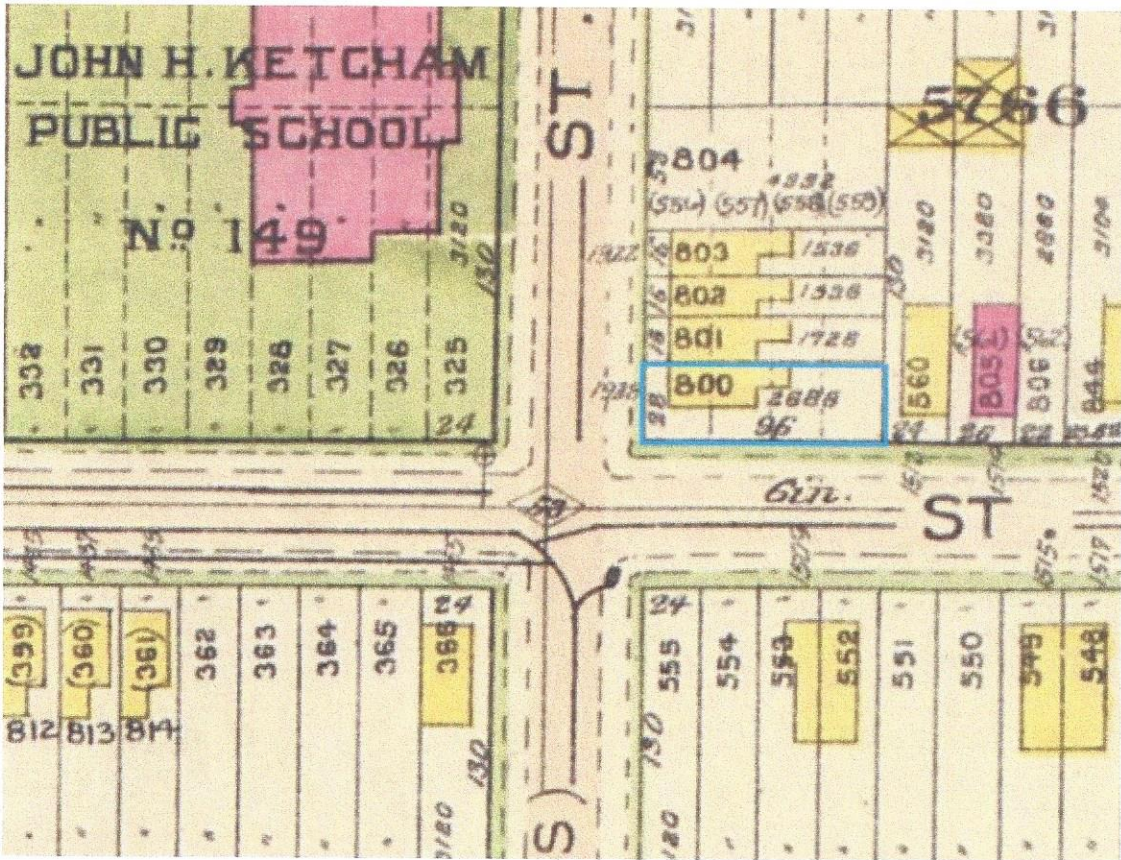


FEB 25 2005

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BRINKS







15th STREET HOMES 1500 BLOCK



**HISTORIC PRESERVATION REVIEW BOARD
STAFF REPORT AND RECOMMENDATION**

Landmark/District:	Anacostia Historic District	<input type="checkbox"/> Agenda
Address:	1928 15th Street, SE	<input type="checkbox"/> Consent
		<input checked="" type="checkbox"/> Concept
Meeting Date:	October 26, 2017	<input type="checkbox"/> Alteration
Case Number:	17-598	<input checked="" type="checkbox"/> New Construction
Staff Reviewer:	Imania Price	<input type="checkbox"/> Demolition
		<input type="checkbox"/> Subdivision

The Department of Housing and Community Development seeks conceptual design review for construction of a two story, detached single family homes on a vacant lot on 15th Street in the Anacostia Historic District.

Property Description

The property is a corner lot that is adjacent to a two-story rowhouse and U Street SE. The property will join a series of three frame rowhouses which were built in 1891 by James Granger. They are contributing buildings to the historic district and face the Ketcham Elementary School and Recreation Center. The original properties are frame, clapboard houses with front porches, decorative cornices and flat roofs. According to Sanborn maps, there is record of a house occupying this lot with a similar building plan as the Granger properties.

Proposal

The proposal calls for a two-story infill rowhouse with a front porch and rear patio that compliments the modest and simple character of the row. The plan will continue the frame-style of the attached buildings with simple windows and door frames and surrounds, and a front porch featuring turned wood posts. The visible street side elevation will be divided into three segments with punched windows, a two story projecting bay, and a rear wall with a stepped down roof. The mechanical equipment will be located along the rear of the roof and solar panels are proposed behind the parapet well. The front windows and doors will align with those on the adjacent buildings. The house will be clad in fiber cement siding, with aluminum clad one over one windows. Following the Italianate-style row houses, there will be a flat roof with decorative cornice and dentils.

Evaluation

The overall height and massing of the new construction is compatible and relates to the block, and incorporates architectural details that are harmonious with the rowhouse typology. The exterior materials of fiber cement with two over two aluminum clad wood windows are consistent with other new construction projects in the historic district. The simple window and door framing is consistent with the character of the adjacent row, and the traditional style two-story row house with a porch helps relate the house to its adjacent neighbor at 1926 and other houses in the district

Recommendation

HPO recommends that the Board approved in concept the overall size, footprint and massing, and delegate to staff further review, with the condition that the above recommendations are sufficiently addressed.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
HISTORIC PRESERVATION REVIEW BOARD



HPRB ACTIONS
October 26 and November 2, 2017

OCTOBER 26 AGENDA

Present: Gretchen Pfaehler (Acting Chair), Andrew Aurbach, Rauzia Ally, Brian Crane, Outerbridge Horsey, Linda Greene, Joseph Taylor. Absent: Marnique Heath, Chris Landis.

It was announced that consideration of the proposed Kingman Park Historic District (Case 16-19, all properties between East Capitol, 19th and M Streets NE and Maryland Avenue NE and the Anacostia River) has been deferred until the January 25, 2018 HPRB meeting, and that the Office of Planning will be holding a public meeting on Saturday, November 18, 2017 from 10am-12:00noon (at a location to be announced) on the historic district designation process.

AGENDA

DESIGNATION HEARING

~~Equitable Life Insurance Company Headquarters, 3900 Wisconsin Avenue NW, Case 17-19. [This case was deferred to November 16 at the request of the applicant]~~

SHERIDAN KALORAMA HISTORIC DISTRICT

1806 24th Street NW, HPA 17-584, permit/site alterations.

The Board found the expansion in width of the lead walk and front stoop, the use of bluestone paving, and the installation of a large metal box in the front yard to be incompatible with the character of the property and the Sheridan Kalorama Historic District, but found the construction of the low red brick retaining wall to be compatible. Vote: 7-0.

ANACOSTIA HISTORIC DISTRICT

1201-1215 Good Hope Road SE, HPA 17-593, revised concept/alterations and new construction.

The Board found the revised concept to be compatible with the character of the historic district and consistent with the purposes of the preservation act. The Board asked that any terrace railings be pulled back from the edges of the buildings, that a preservation plan be developed for the historic facades, that the number of at-risk windows be reduced on the side elevation, that clad wood windows would be compatible, and that final approval be delegated to staff but that HPO and the applicants continue to communicate with the community as the plans are finalized. Vote: 7-0.

ANACOSTIA HISTORIC DISTRICT

1928 15th Street SE, HPA 17-598, concept/new rowhouse on vacant lot.

Board found the project overall compatible with the guidelines and character of the historic district and recommends the following conditions: that the HVAC and utility meters are relocated to side or rear; the return ends and eaves are defined in the plan; the cornice detail is reexamine; and the

solar panels are to be non visible. The Board voted that the applicant work with the neighbors on an easement or creation of a passageway for the homes and delegates further review to staff, with the condition that project return to the Board on consent. Vote: 6-0.

1528 W Street SE, HPA 17-599, concept/new single family dwelling on vacant lot.

The Board found the project compatible with the guidelines and character of the historic district and recommends that the solar panels are non visible; the cement slab and PVC materials are reevaluated; and a window schedule is developed. The Board delegates further review to staff, with the condition that project return to the Board on consent. Vote: 6-0.

1600-1602 V Street SE, HPA 17-665, concept/two new frame row houses, two stories with front porch

The Board found the general concept for new construction to be compatible with the character of the historic district with the condition that the details of the eaves and rake boards along the corners and roof of the houses should be developed and drawn; The wood siding should be specified with a four-inch exposure; a wider skirt board should be included at the bottom of the side elevations; the foundation should be supported by brick or brick-clad piers, with framed-wood-lattice apron between them; the front porch balustrade and post should be designed with a simple pattern that is not overly historicist; the details of how the houses will meet at porches, siding, cornices, and roofs should be developed; the windows should be narrowed slightly to accentuate their vertical proportions, and changed to one-over-one double hung; a window schedule and vent dimension should be added to the plan. The Board delegates further review to staff, with the condition that project return to the Board on consent. Vote: 6-0.

MOUNT PLEASANT HISTORIC DISTRICT

1730 Kenyon Street NW, HPA 17-556, concept/building and site alterations, two-story rear addition.

The Board approved the concept for the addition as compatible with the character of the historic district and delegated to staff further review with the condition that the formstone be removed from the façade and the façade brick be repaired as necessary. The Board also delegated to staff review of any proposed revision to set back the wall(s) from 1728 Kenyon Street. The Board acknowledged Advisory Neighborhood Commission 1D's resolution, agreeing that the addition would not be out of place with the neighborhood as a whole and that the particular context of this row and block should be considered. The Board disagreed with the ANC recommendation that the second-story courts must be retained here, because it was the formerly open porches on the row that had been the character-defining features of the rear, rather than the subsequent and individual infill, and the adaptability purpose of the preservation law here outweighs the interest in preserving the outline of those porches. The Board found that a reference to "contrasting" additions in the historic preservation guidelines refer not to *any* difference with the underlying house, but rather to additions that have starkly different expressions from that of the house to which they are attached. Vote: 6-0 (absent: Horsey).

U STREET HISTORIC DISTRICT

1901 12th Street NW, HPA 17-653, concept/add glazed French door to side elevation.

The Board found the issuance of the permit inconsistent with the purposes of the preservation act as it would result in an alteration that is incompatible with the character of the house and the U

307

SIDE YARD

*307.1 A minimum side yard of eight feet (8 ft.) shall be provided in the R-1-A, R-1-B, and R-2 zones.

307.2 A detached single dwelling unit in the R-2 and R-3 zone shall be subject to the side yard requirements of an R-1-B zone.

307.3 No side yard shall be required for attached dwellings in the R-3 zone; however, if a side yard is provided, it shall be no less than five feet (5 ft.).

*307.4 In the R-2 and R-3 zones, when a single dwelling unit, flat, or multiple dwelling unit development is erected that does not share a common division wall with an existing building or a building being constructed together with the new building, it shall have a side yard on each resulting free-standing side.

307.5 For a building subject to a side yard requirement but which has an existing side yard less than eight feet (8 ft.) wide, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of five feet (5 ft.).

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2).

308 PERVIOUS SURFACE

308.1 The minimum required percentage of pervious surface of a lot in the R-1-A or R-1-B zones shall be fifty percent (50%).

308.2 The minimum required percentage of pervious surface of a lot in the R-2 zone shall be thirty percent (30%).

308.3 The minimum required percentage of pervious surface of a lot in the R-3 zone shall be twenty percent (20%).

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2); Final Rulemaking & Order No. 08-06G published at 64 DCR 22 (January 6, 2017).

309 [DELETED]

SOURCE: Final Rulemaking published at 63 DCR 2447 (March 4, 2016 – Part 2); Final Rulemaking & Order No. 08-06E published at 63 DCR 10932 (August 26, 2016); Final Rulemaking & Order No. 08-06G published at 64 DCR 22 (January 6, 2017).

310 USE PERMISSIONS

310.1 Use permissions for the R-1-A and R-1-B zones are as specified for Use Group A, in Subtitle U, Chapter 2.

TESTIMONY OF DORCAS AGYEI BEFORE THE HISTORIC PRESERVATION REVIEW BOARD

RE: CASE NUMBER 17-598ANACOSTIA HISTORIC DISTRICT 1928 15TH STREET SE

Background

I, Dorcas Agyei, purchased 1926 15th Street SE on May 28, 2004. I have lived and maintained residency at 1926 since June 4, 2004 at that time 1922 and 1924 were still abandoned, boarded up homes. 1926 15th Street has been my home for over 13 year. I have enjoyed the open space and greenery for all of those 13 years. According to my neighbor, Ms. Johnson, at [1501 U Street SE.](#), the last structure she remembers on the current lot (1928) was a corner store sometime in the 1960s, so the current lot has historically been open green space for more than 50 years.

Concerns to Current Proposal

There was no outreach or notice from The Department of Housing and Community Development (DHCD). The notice I received was coming home to an erected fence with barbed-wire around the fence on August 18, 2017. I testified at DHCD's hearing on this proposal on September 12, 2017 about my concerns and have also had a walk-through meeting at the lot about my concerns with Mi Casa and its commissioned architect on October 9, 2017. Below are my listed concerns about this project that I have discussed:

1. The proposed development will obscure (as currently proposed in the design drawings) all of my ALL of my side windows. These windows currently provided me with direct natural sunlight into my upstairs bathroom, upstairs middle room: office, upstairs rear bedroom and downstairs main kitchen. Depending on how far back the row house extends my remaining rear windows that currently provides direct sunlight to my downstairs dining room and will be obscured. Based on Mi Casa's current drawing design. Mi Casa understands the importance of windows for it has given their proposed townhouse more than 6 mid-size windows and two large wall-size windows ALL ARE SIDE FACING WINDOWS. **In addition, the new home will overshadow over \$10,000 of work perform through the historic homeowner's grant project on my home in 2016 to the south side of the house and bathroom window.**

2. The proposed development will potentially hinder my access to my side door that I've had access to for over 13 years. I do not have a backdoor; I only have a front door and side door. Many of the property line in my neighbor appear to be ad hoc and home by home. Apparently, there is only 32 inches that separates my home from the proposed new row house. I would like to see that distance be at least 36 inches to 40 inches away or equivalent to the distant between 1522 and [1524 U Street SE.](#)

3. I am concerned about any structural damage that will occur to my home associated with the building of the proposed development that will be less than four feet from my home.

4. I am concerned about water drainage issues associated with rain-runoff and potential gutter placement errors.

5. Parking for 1928 homeowner.

6. Rodent control during renovations

I believe Mi Casa and I are having healthy discussions and are working towards solutions that are mutually beneficial, however, they have not been resolved. I ask that the Board keep my concerns in consideration and assist where possible to provide alternate solutions.

Sincerely,

Dorcas Agyei



BEFORE THE ZONING COMMISSION
OF THE DISTRICT OF COLUMBIA



FORM 102 - PETITION TO AMEND THE TEXT OF THE ZONING REGULATIONS

Before completing this form, please review the instructions.

In accordance with the provisions of Subtitle X, Chapter 13 of Title 11 DCMR – Zoning Regulations, request is hereby made for an amendment to the text of the Zoning Regulations, details of which are as follows:

Reason and justification for proposed text amendment:

Clarification of Side Yards and Building definitions

Existing Language (include section or paragraph number):

Sub B Definitions, Sub D,E, and F Sideyards

Proposed Language:

see attached OP report

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both.
(D.C. Official Code § 22-2405)

Petitioner's Name:

Petitioner's Name:

Petitioner's Name:

Petitioner's Name:

Petitioner's Name:

Jennifer Steingasser, Deputy Director DCOP

Date:

12/1/2017

Person(s) to be notified of all actions:

Name:

Jennifer Steingasser

Address:

1100 4th Street, SE Suite E650

Zip Code:

20024

Phone No(s):

(202)442-8808

E-Mail:

Jennifer.Steingasser@dc.gov

ANY PETITION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

ZONING COMMISSION
District of Columbia

CASE NO.17-23
EXHIBIT NO.1

EXHIBITS FOR CASE 17-23

Exhibit No.	Nature of Exhibit	Number of Pages	Exhibit Date
1	Application Form	1	12/01/2017
2	OP Setdown Report	14	12/01/2017
3	Proof of Publication of PHN in D.C. Register	1	02/13/2018
4	Notice of Public Hearing	14	02/13/2018
5	Attestation:PHN	1	02/13/2018
6	Resolution in Opposition from ANC 1D	1	03/26/2018
7	OP Report	28	04/09/2018
8	Ltr. in Support from Mark Mlakar	1	04/10/2018
9	Ltr. in Support from Kevin Palka	5	04/16/2018
10	Statement of Support for Text Amendment from Goulston & Storrs	1	04/18/2018
11	Ltr. in Support with Attachment A from Robert Covington	2	04/18/2018
11A	Attachment B to Letter in Support from Robert Covington	1	04/18/2018
12	Ltr. in Support from Ralph Cunningham, FAIA	1	04/18/2018
13	Ltr. in Support from Martin P. Sullivan, Esq.	1	04/18/2018
14	Written Testimony from Donna Murphy and Keenan Keller	4	04/19/2018
15	PowerPoint Presentation	15	04/23/2018

