

Donna Murphy and Keenan Keller  
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May 28, 2018

*Via Email*

Frederick Hill, Chairperson  
Board of Zoning Adjustment  
441 4th Street NW Suite 210S  
Washington, DC 20001

**Re: BZA Case No. 19736 – 1928 15th Street SE**

Chairperson Hill and Honorable Members of the Board:

We are Donna Murphy and Keenan Keller, owners of 1850 Monroe Street, NW. On May 27, 2018, we became aware of the above-referenced case before the BZA, which involves the application of the side-yard requirements of the 2016 Zoning Code. Those side-yard requirements are also at issue in BZA Cases No. 19613 and 19614, and we are writing this letter to address the implementation of those requirements.

While we have not had time to thoroughly study the record in this case, based on the Applicant's May 9 Supplemental Statement and the Office of Planning May 17 Supplemental Report, it appears that the Applicant's revised plan would provide for a 4 inch side yard on the north, adjacent to an objecting property owner, and an 8 foot side yard on the south, adjacent to the sidewalk and street. The Office of Planning Supplemental Report notes that the 4 inch side yard would be "unusable and potentially problematic" and that it changes the applicable regulations (from the original plan providing no side yard on the north). Importantly, while the Office of Planning reports reference "meaningful" discussions with the Applicant, there is no reference to any effort whatsoever to engage with, or consider the views of, the adjacent property owner who has filed for party status.

We submit that in situations like this, involving the application of side yard (and similar) requirements of the zoning regulations to in-fill situations in non-uniform residential areas like the Anacostia Historic District, the Office of Planning should be responsible for understanding and considering the positions of both the Applicant and adjacent property owners who have concerns. Rather than just meeting with the Applicant in such a situation, the Office of Planning should meet with both parties, and should make efforts to mediate a resolution that addresses the needs of all concerned, within existing regulations.

For example, in the situation of Case No. 19736, one potential solution would be to situate the proposed house three feet further south in the lot, so that there would be a 5 foot side yard on the south (adjacent to the sidewalk), and a 3 foot, 4 inch side yard on the northern end of the lot. While in this scenario neither side yard would strictly conform to the current zoning regulations for R-3 which mandate 8 foot side yards, the 5 foot southern side yard would meet the minimum requirement in section 307.3 noted by the Office of Planning Supplemental Report. And, the 3 foot side yard on the north, would abut the similar side yard currently existing on the adjacent property, thus potentially providing a reasonable combined space for proper maintenance and potential use. From the existing record, it is unclear whether this type of solution has been considered or discussed.

In short, we object to the application of, and the granting of waivers from, the side yard requirements of the zoning code without full consideration of the views and concerns of existing, adjoining property owner residents. We are not available to attend the hearing on Wednesday, May 30, but can be reached by email at [murphy.keller@verizon.net](mailto:murphy.keller@verizon.net).

Thank you for your attention to our concerns.

Sincerely,

*/s/ Donna M. Murphy*

Donna M. Murphy

*/s/ Keenan R. Keller*

Keenan R. Keller