

Subject line: Case Number: 19771; Case Name: Application of Lee Wells and Malcolm Haith

Comments in Opposition

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Submission by

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Case Number: 19771

Case Name: Application of Lee Wells and Malcolm Haith

Comments in Opposition

On behalf of my family, I want to thank you for considering our concerns and our opposition to the special exceptions requested in this application.

My name is Ann Peters, and I live at 1836 Ontario Place NW, next door to 1834 Ontario Place.

We have lived in our home for nearly 20 years.

Residents of Lanier Heights have fought hard to be good stewards of the neighborhood, including obtaining a zoning change two years ago. That was the year before our new neighbors bought their home but while they were living nearby in Adams Morgan.

While we welcome our new neighbors, Malcolm and Lee, to our street, we take exception to their requests for special exceptions.

Our concerns start at the back of the home at 1834 Ontario Place. We object to the request for special exceptions to exceed the 60 percent lot occupancy maximum and to build a larger than permitted accessory structure in the rear yard.

The new owners already have substantially extended the original footprint of the home. Before the new construction, we were four houses all in a row, all of fairly equivalent length in the back. Malcolm and Lee decided to go back beyond the rear walls of our homes by some 14 feet and up to a height of three stories, with two floors of extended internal living space and a third rear level with an extensive roof deck.

Currently, there is a parking pad in the rear of 1834. While most homes have enclosed garages, several on both sides of the alley have similar parking pads as well. Some have added a fence or gate for additional security or privacy for themselves.

We believe strongly for the need to maintain the lot occupancy limit of 60 percent in this instance. Our new neighbors decided to expand the footprint of the home. That was their choice. Their drawings initially showed only the parking pad.

Our understanding is that Malcolm and Lee are proposing a garage that would be nearly four times the size permitted by the remaining space allowed given the occupancy limits. This new construction would further reduce the size of their rear yard. It would limit airflow for the surrounding dwellings, create more shade and obstruct views for the nearby properties.

Our concern as next door neighbors is that providing such special exceptions could be precedent setting. If our new neighbors seek 66 percent or 69 percent lot occupancy, or any amount over the 60 percent limit, another neighbor might ask for 64 and another 68. Then perhaps the rule will change to a 65 percent lot occupancy.

Others can then point to the exceptions and seek exceptions for 69 percent and 72 percent and then the limit might change again to perhaps 70 percent lot occupancy.

The exceptions then become the rule. History repeats itself and where will it stop?

And despite the applicant's statement, the significant addition has already substantially visually intruded upon the character, scale and pattern of houses as well as privacy.

They are now seeking to construct a garage of non-conforming size and height – they are reducing their rear yard footprint even further,

Every inch they take away from that open space unduly affects our neighboring homes.

The applicant fails to adequately address and take into consideration that our homes are no longer comparable and therefore by their seeking a special exception they are in fact unduly affecting the adjacent property by building another structure, especially one less than 20 feet from the new extended rear wall.

There is no special need here. There should be no special exception. We need to stick to the 60 percent lot occupancy limit. We need open space in our neighborhood, among our rowhouses.

We also oppose the request to remove the full porch roof. 1834 Ontario Place NW is currently the middle house in a set of three with full porches. Removing the porch roof will disrupt the architectural flow of the group and the block in a neighborhood known for its PorchFest, with music and community gatherings outdoor on porches. The applicants note that one house nearby (1838 not 1840 Ontario Place NW) has eliminated its porch. In fact this happened decades ago.

Perhaps a solution could be found down the street at 1854 Ontario Place NW. They maintained the porch roof and roof line connection to their neighbors, but eliminated a portion of the decking to provide the room they needed for further construction in their basement. It is relatively seamless. Our new neighbors can make their porch roof structurally sound and maintain the harmony of the façade along this row.

We request the Board reject the applicant's requests for special exceptions. Thank you.

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