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#16696

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The DC Historic Preservation Review Board
801 North Capitol Street, NE
Suite 3000
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Dear Board Members,

I am a member of the CAG Historic Preservation Committee and have given a great deal of thought to the concept of allowing elevated decks. I am generally disposed to approve everything possible, as I give "great weight" to home owners who, not only invest and should be allowed to enjoy their homes to the maximum possible, but also go to great expense to preserve these homes for the future. But elevated decks have become a issue with me.

1) They are not usually historically consistent with the neighborhood nor are their construction details typically historically accurate, i.e., they are usually rather tacky looking.

2) As most properties have constructed six or eight foot high fences/walls, this would indicate that the majority of homeowners desire privacy. Obviously, the benefit of the elevated deck is to secure a panoramic view into everyone else's property, thus getting around, or rather "over," this desired consensus.

3) Once elevated, whether visible from the street or not, these decks are in full view of all neighbors. There is *no way* to control the esthetics of this view. No matter how beautifully a neighbor may landscape his own garden, he is subject to the elevated deck next door, with the underside view of aluminum Wal-Mart deck furniture, dead or dying plants, plastic flower boxes, unsightly umbrellas, a barbecue stand, or otherwise a poor choice in "deckscaping." Also, sound is not buffered.

4) Lastly, I present a reason for opposing elevated decks, I am sure, would never occur to any of you!

I am personally, currently fighting a neighbor who claims that included in the purchase of her house with elevated deck, is an implied "visual easement" over my property. My property is located 28 feet from the rear of her house. While she obviously has no legal rights here, she has been extremely successful in getting a number of neighbors/personal friends to agree with her. When the ANC saw the number of signatures she had obtain, they too agreed that her view superseded my rights as a property owner. Mark Ryan, ANC member, stated clearly that my rights were of no concern to the ANC.

As no one would normally think of this situation when deciding whether to permit elevated decks, obviously I feel it is an extremely important issue as it has caused my husband and myself enormous difficulties.

I recommend a three foot deep balcony, just enough to allow the doors to swing out, with stairs to the yard below. I also recommend attention be given to the details so as to match the period of the house in order to retain architectural harmony within the neighborhood.

Sincerely,

Ann Goodman

BZA
Case No. 16696
Exhibit No. 89

Board of Zoning Adjustment
District of Columbia
CASE NO.16696
EXHIBIT NO.89