

WESLEY HEIGHTS HISTORICAL SOCIETY
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Statement before the Board of Zoning Adjustment April 5, 2005

BZA Appeal No. 17285

4825 Dexter Terrace, N.W. Square 1381, Lot 806

I am George Watson, a long-time member of the ANC-3D Zoning Committee, an almost 36-year resident of Cathedral Avenue in Wesley Heights and President of the Wesley Heights Historical Society.

The Society was established in 1989 in response to perceived over-development that threatened to change the character of our neighborhood. Our members sponsored a zoning overlay that was adopted by the Zoning Commission in 1993 as a means for keeping new building or additions to existing homes to a reasonable level. Ours was one of the very first overlays in Washington and has served as a model for others that were subsequently adopted by the Zoning Commission. As I have stated several times previously in testimony before the Board of Zoning Adjustment, "We are therefore interested in seeing to it that the existing zoning regulations, as well as the Wesley Heights Overlay District, are enforced in an even-handed manner that allows *reasonable* additions and modifications to existing homes but do not impact negatively on the character of the entire neighborhood or the quality of life of the immediate neighbors."

I now come before you to discuss the appeal of Fulton Street resident Patrick J. Carome of a huge wall and platform that he looks out on one block away across Acclimation

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or Wesley Heights Park constructed by Frank and Dina Economides. It is Mr. Carome's contention that the wall and platform, together with the house on the lot, are in violation of the Wesley Heights Overlay District and that it is an environmental threat to the both Acclimation and Battery Kemble Parks, part of the Rock Creek National Park System.

We agree with Mr. Carome, and, incidently, with Mr. Toye Bello in testimony and cross examination in this case, that the wall and platform constitute “structures” in the sense of DC Zoning Code, Title 11 DCMR § 199, and Definitions page 1-28 and that they, in addition to the newly constructed house on Square 1381, Lot 806, exceed the 30 percent Lot Coverage and the maximum Floor-Area Ratio allowed in the Overlay and that the structures clearly intrude on both the backyard and two sideyards setbacks in the underlying R1A Zoning Regulations.

In addition, the height of the wall, towering almost 30 feet above the steeply sloping grade at its base abutting the park, exceeds that allowed in the DC code in backyards. The filled in platform sloping upwards toward the house in back of the wall is part and parcel of the violation and its surface measurement clearly should be considered in the total structure measurement on that lot.

Mr. Carome has already mentioned the uninviting and unneighborly visual impact of the wall on joggers and dogwalkers traversing the two-block long park path between 49th Street beside Battery Kemble Park and Foxhall Road. It is truly overwhelming to see that towering structure.

Mrs. Gates has already identified me as an environmental scientist and ornithologist. I have a Ph.D. degree in Zoology from Yale University. For 23 years, I was curator of birds in the Smithsonian’s Museum of Natural History and, later, for 27 years was a

member of the National Geographic Society Committee for Research and Exploration. Based on that scientific training and experience, I present you with some environmental observations and documentation.

The wall and platform structures have an additional environmental impact on the adjacent residential lots, particularly on Acclimation National Park. Mr. Carome has already mentioned the drainage and water runoff into the park and I can attest to the muddy seep from under the straw bales and flimsy plastic sheeting when I visited the slippery slope in early March 10 for photo documentation. But there is another impact that is less apparent, although definitely intuitive. The new wall shades the Park slope to its north and delays the melting of winter snow, thus changing the microenvironment.

Two photographs that I took of Wesley Heights slopes in lots at the intersection of 44th and Hawthorne Streets in early morning, Thursday, March 10, graphically illustrate that effect. A light snow had fallen the day before and snow still covered almost all of the north-facing slope beneath a modest four-foot-high retaining wall and wood fence at 2927 44th Street. In contrast, in front of the house immediately across 44th Street at 4400 Hawthorne Street, where there is no wall below the yew hedge, only a smidgen of snow persists. This shading effect is even greater under the 30-foot wall at 4825 Dexter Terrace during the winter and early spring.

In another demonstration of the micro temperature environmental effect of shading by the towering wall, I took measurements at 2:30 PM on March 22 with an accurate and sensitive Taylor etched-stem mercury thermometer. The day was summery and mild and, of course, the tree leaves had not yet begun to bud out. At ground level eight feet from the base of the wall, to its north, the thermometer registered 55 degrees Fahrenheit and on top of one of the posts holding up the mud fence the reading was 57 degrees. Ambient temperature at breast height in a sunny open area 18 feet from the base of the

wall was a pleasant 61 degrees. The most striking reading, however, was 71 degrees at ground level 18 feet from the wall in the sun-lit path area, sixteen degrees higher than in the shade ten feet away. Imagine the effect that temperature difference has on local phenological* events, namely, the periodic timing of germination of over-wintering seeds blooming of plants and the activity cycles of cold-blooded insect larvae and salamanders in early spring.

Patrick Carome has already alluded to the water runoff from beneath the wall. I visited the area with Mrs Alma Gates in the late afternoon Friday, April 1, during a rainy deluge and observed the muddy runoff and puddling running down to the stream bed in Acclimation Park and leading toward a culvert under 49th Street that feeds into the Battery Kemble Park stream. The opening to the culvert was plugged up with debris, mud and a stainless steel beer keg. As we watched, however, the dam broke and muddy water washed through an eroding opening around the culvert. It was raining so hard that I did not have my camera with me for documentation. The next days, on Saturday, April 2, I did have my camera when we had another flood warning in DC. Those photographs demonstrate the only slightly less fierce runoff through and beneath the wall.

Therefore, I urge you to support Mr. Carome's appeal of the wall and platform on the basis of Zoning Code and Overlay violations and their Neighborhood and Environmental Impacts, two of the basic reasons we have Zoning Codes in our city

***Phenology**, a branch of science dealing with the relations between climate and periodic biological phenomena (as bird migration and plant flowering). Definition on page 882 in *Webster's Ninth New Collegiate Dictionary*, 1983.













