Ned Ertel
Jennifer Squires
924 G Street, SE
Washington, DC 20003

June 29, 2005

The District of Columbia Office of Zoning
441 4th Street, N.W.
Ste 210-2
Washington, DC 20001
(202) 727-6311

Re: BZA Case No. 17313

Via Fax and First Class Mail: (202) 727-6072

Dear Sir or Madam:

At our first hearing in front of the Board on Tuesday, April 26, 2005, the Board slated a decision making hearing for May 2, 2005. At the May 2nd hearing, the Board directed us to go through the Historic Preservation Review Board (HPRB) and then come back to the Board with their decision. The tentative date for the subsequent BZA meeting was September 13, 2005; however, the Board did state that we could back earlier if we had the decision of HPRB.

HPRB in its May 26, 2005 meeting adopted the Office of Planning's Staff Report and Recommendation. After the HPRB meeting, I met with the Office of Planning staff to discuss our options. We have decided to proceed with the one story sunroom addition and now would like the zoning approval to go forward.

Thank you for taking the time to consider our application.

Best Regards,

Ned Ertel
Jennifer Squires

Enclosure

BZA
Case No. 17313
Exhibit No. 29

Board of Zoning Adjustment
District of Columbia
CASE NO. 17313
EXHIBIT NO. 29

HISTORIC PRESERVATION REVIEW BOARD
STAFF REPORT AND RECOMMENDATION

Property Address:	**924 G Street, SE**	X	Agenda
Landmark/District:	**Capitol Hill Historic District**		Consent Calendar
		X	Concept Review
Meeting Date:	**May 26, 2005**	X	Alteration
H.P.A. Number:	**05-2830**		New Construction
Staff Reviewer:	**Emily Paulus**		Demolition
			Subdivision

The applicant, owners Edward Ertel and Jennifer Squires and architect Dennis Connors, seeks conceptual design review for an addition to the rear of a corner rowhouse in the Capitol Hill Historic District. The addition would be visible from public space.

Property Description and History

The property is situated at the northwest corner of the intersection of 10th and G Streets, SE and consists of a two-story, brick, semi-detached rowhouse that fronts on G Street and a two-story, brick, semi-detached carriage house that fronts on 10th Street. The two structures are separated by an approximately 16-foot deep open courtyard, which is enclosed by a brick wall at the sidewalk. Visual inspection suggests that the rowhouse was constructed in the 1880s. The carriage house was likely constructed contemporaneously with the rowhouse, although it does not appear on historic maps until 1904. Prior to 1959, the carriage house was altered by the addition of a new façade, which filled in the approximately 4-foot deep gap between the carriage house façade and sidewalk. The result is a structure whose body is that of a historic carriage house, but with a non-contributing façade. Today, although the structure appears to be an independent single-family dwelling, it remains one of two principal structures on the subject lot and is utilized by the current owners as a rental unit.

Proposal Description

The proposal seeks to infill the open courtyard in its entirety with a two-story addition. The addition would conceal the rear elevation of the rowhouse and the side elevation of the carriage house; the addition would also conceal the visible but unfenestrated portion of the side elevation of the adjacent property at 922 G Street. The addition would be recessed from the existing wall and feature three double-hung windows at the first and second floors. A garage would be set partially below grade, accessed by a 12-foot wide curb cut and driveway. The curb cut associated with the carriage house is still visible, though grown over and defunct, and would need to be shifted several feet south of its current location in order to align with the proposed garage door opening within the addition. Finally, a roof deck would be located atop the existing rowhouse to recapture the outdoor space lost by infilling the courtyard.

Zoning Issues

The applicants were strongly encouraged to obtain advice from a zoning official regarding the feasibility of the proposal from a zoning perspective at the initial meeting between HPO staff and applicants last year. Because the zoning issues seemed to be more challenging than the historic preservation issues, staff felt that if the applicants were encouraged by zoning officials to proceed, they should seek approval from the Board of Zoning Adjustment (BZA) prior to proceeding to the HPRB.[1] The applicant followed this advice and the case was considered by the BZA on April 26, 2005. The application sought a variance for lot occupancy to go to 99% occupancy where 76% currently exists and only 60% is allowed, in addition to relief to allow an addition to a non-conforming structure because the existing property is nonconforming for rear yard and lot occupancy and minimum lot dimensions. While the Office of Planning recommended denial of the application, the BZA opted not to rule on the application but rather wait until *after* the HPRB's determination; a second BZA hearing has been tentatively rescheduled for September 13, 2005.

Evaluation and Recommendation

Addition. Zoning issues notwithstanding, the proposal raises issues about the nature of open space in historic districts, particularly as it pertains to corner properties. Historically, the majority of corner properties in Capitol Hill included some rear yard – allowing for windows and rear yard access. In many cases this space is as minimal as three to five feet deep, but in other cases is more generous, as much as ten to fifteen feet deep. In other instances, the vertical break in the street wall provides access to the rear alley. The space behind corner properties likely served more pragmatic than aesthetic purposes, allowing for some private outdoor space for the owners as well as an area for such necessities as trash cans, etc. Over the years, some of these spaces have been filled in with additions and garages – most of which were done prior to the creation of the historic district.

The staff is not troubled by the notion of an addition to the rowhouse, particularly one that suggests the secondary feel of an enclosed sunroom or porch addition. Such additions are quite common on rowhouses and, in this instance, would be a compatible approach. It seems, however, that the notion of maintaining some semblance of open space between the addition and rental unit would be consistent with the historic character of corner properties. A vertical break would allow the addition to clearly read as such, and not as an independent rowhouse or an addition to the rental unit. A slimmer addition would also strengthen the relationship between the rowhouse and addition, which at present, is an awkward width in proportion to the size of the main house. A reduction of approximately four to five feet would result in a more comfortable and compatible relationship. In addition, a break would allow the side wall of the rental unit – the only exposed historic fabric of the former carriage house – to remain visible. Other plausible

[1] Although many applicants file for the BZA and HPRB simultaneously, the majority of applicants tend to appear before the HPRB prior to the BZA. In most cases this is simply a result of the time in which it takes to have a case heard by each body once the project has been filed. In rare cases, where the project appears significantly "riskier" from one perspective, the staff may suggest obtaining one review prior to the other.

solutions include creating a deeper setback to allow for a small garden area adjacent to the public space along 10th Street, or, creating a narrow one-story addition that could serve as a hyphen or gallery-type connection to the carriage house.

The suggested architecture and simple treatment of the addition is not inappropriate for a visible rear addition, but some additional glazing would help lend a lighter feel – perhaps by introducing paired as opposed to single windows. The staff is somewhat wary of the rooftop deck and its potential visibility. As with any rooftop deck in a historic district, the deck should not be visible from a public street. The applicant should submit sight line studies to illustrate the potential visibility of the deck from both G and 10th Streets.

Curb Cut and Driveway. The Historic Preservation Office normally objects to curb cuts and parking on public space on Capitol Hill, and views them as inconsistent with the character of the historic district. Capitol Hill is characterized by the continuous, uninterrupted quality of its public space. In residential areas, the public space forms a continuous greensward, or park-like strip, that runs in front of and unifies the architecturally diverse rows of houses. In both residential and commercial areas, the public space serves as an important transitional buffer zone between the public sidewalk and a private building. When the character of this space is altered or materially reduced, such as when it is bisected with a curb cut and paved driveway, the character of the street is adversely affected.

This brings us to the issue of whether or not the fact there *used* to be a curb cut and driveway associated with the property is grounds for its re-location and re-installation, regardless of current standards and practice. Because the curb cut and driveway was clearly associated with the former carriage house (now substantially altered), was constructed prior to the creation of the historic district, has been in disuse for decades, and would require relocation, it does not seem a compelling argument. There are many old and disused curb cuts throughout Capitol Hill and other historic districts, and the District's Department of Transportation has made some efforts to remove defunct curb cuts for reasons of eliminating parking on public space, vehicle-vehicle conflicts, and vehicle-pedestrian conflicts. The Board denied a similar request October 2004 for 616 North Carolina Avenue, SE, where the disused curb cut was located on a lot that, while originally part of the subject property, had been parceled off to a neighboring property. In addition, it is also important to note that in a recent case that sought approval for a curb cut in public space, the Mayor's Agent concluded, in part, that:

> "Although the applicant presented evidence of more than 20 curb cuts that have been installed within a close proximity of this proposed curb cut, including some within the immediate area, all of them were installed prior to 1978, when the Act was adopted, with the recited purpose of "... protection, enhancement and perpetuation of improvements and landscape features of landmarks and districts which represent distinctive elements of the city's cultural, social, economic, political and architectural history." See D.C. Code, Sec. 6-1101(a) (1), (2001ed.). One reason the Act was adopted was to stem the time towards the diminution of the landscape features of historic districts in the District of Columbia, which would include the imposing of strict controls disfavoring installation of landscape-reducing curb cuts in historic districts, as well as to bring some order and consistency to the Victorian architecture that is typical of the Capitol Hill Historic

> District. The fact that curb cuts were made at a prior time, whether legally or illegally, cannot be used as a legal standard by which to evaluate this current applicant, and authorize additional curb cuts. As well, the applicant cannot be "grandfathered" to allow a curb cut and parking pad, simply because prior owners parked on the site illegally. The granting of this application would not only eliminate up to two to three on-street parking spaces, but would also reduce the green space, which is an integral part of the Capitol Hill Historic District, and very likely create an atmosphere in which multiple petitions for additional curb cuts and parking pads will certainly follow."

It seems, then, that there is legal precedence for not simply "grandfathering" former curb cuts. In this case, the property owner wishes to claim a right to a curb cut that was historically related to the carriage house and re-locate it to accommodate parking within the addition, rather than returning a much altered carriage house to its original condition and simply reusing an abandoned curb cut in place. If approved, such an allowance could establish precedence for other similar requests by property owners wishing to unearth old curb cuts and driveways. As such, it is appropriate to view this as a new curb cut and driveway proposal, and thus as an incompatible alteration. It is also worth noting that garage doors on residential buildings and additions are also generally incompatible with the character of this historic district, and although in this instance the door is illustrated as sitting largely below grade and out of public view, it is unlikely that the applicant can commit to the grade required to achieve that level of invisibility.

The staff recommends that the Review Board:

1.) Direct the applicant to retain a reasonable amount of open space in the rear yard, through either a vertical break between the rowhouse and rental unit or by reducing the length and height of the addition, as discussed above, and
2.) Deny the request to move the abandoned curb cut and install a driveway and garage door on the façade of the addition, and
3.) Require that the roof deck be invisible from a public street, and
4.) Advise the applicants that any endorsements or approvals should not be construed to constitute an endorsement for the necessary zoning variances or zoning relief.