Takoma "Parties Opposing" the Oversized Addition at 6919 6th Street, NW



October 25, 2005

BZA
Case No. 17349
Exhibit No. 50

Board of Zoning Adjustment
District of Columbia
CASE NO. 17349
EXHIBIT NO. 50

Introduction

- Presentation submitted on behalf of 32 residents from every household on the contiguous square and opposite streets who unanimously oppose the exception request

- Owner/developer seeks "after the fact" approval from BZA for an oversized addition that also violates other historic and zoning regulations that led to the original "stop work order"

- BZA application fails to meet the overall requirement that the "addition shall not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property" (223.2) and the stated criteria:

  a) The light and air available to neighboring properties shall not be unduly affected;

  b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;

  c) The addition, together with the original building, as from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage; and

  d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways.

Shall not substantially visually intrude on the character, scale and pattern of houses . . . [Section 223(c)]

Takoma Historic District

- Established in 1980
- Highlights architecture and historic character of early 20th century houses
- Maintains "Old Takoma" residential neighborhood character, including:
  - Single family dwellings, including both Victorians and bungalows
  - Tree-lined streetscapes and yards
  - Large, spacious front and back yards
- Encourages new construction that conforms with original "look and feel" of surrounding houses

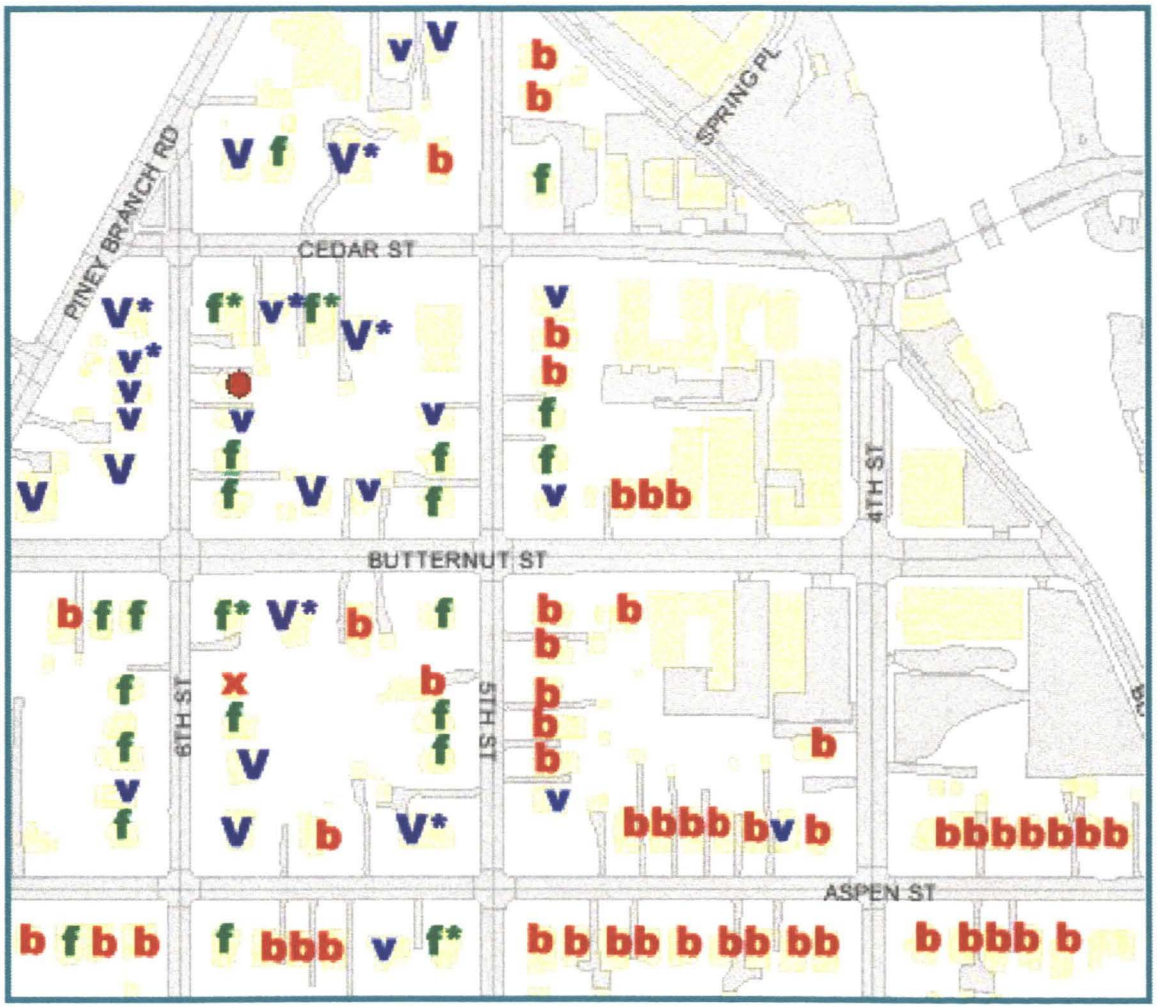


Shall not substantially visually intrude on the character, scale and pattern of houses . . . [Section 223(c)]

Takoma Neighborhood Map

The Takoma neighborhood developed over time with varied housing types: a few large old Victorians circa 1900, various styles of two-story turn-of-the-century homes, and many one-and- a-half story bungalows from the 20's and 30's intermingled as shown on this graphic.

- **6919 6th St, NW**
- **V** Larger-sized houses
- **v** Medium-sized houses
- **f** Four-squares (1900's)
- **b** Bungalows and smaller houses similar to 6919
- * House cited by applicant



Shall not substantially visually intrude on the character, scale and pattern of houses . . . [Section 223(c)]

Examples of Small Houses in Vicinity of 6919 6th St., NW



7015 5th St, NW



7017 5th St, NW



6909 5th St, NW



6907 5th St, NW



6815 5th St, NW



6919 6th St, NW



6805 5th St, NW



6809 5th St, NW



516 Butternut St, NW



6815 6th St, NW



517 Aspen St, NW

Shall not substantially visually intrude on the character, scale and pattern of houses . . . [Section 223(c)]

6915 6th St, NW Addition

- One-story structure (12 x 16 ft.)
- Kitchen renovation and sunroom extension
- Upper and lower decks
- Addition completed in 1989





Shall not substantially visually intrude on the character, scale and pattern of houses . . . [Section 223(c)]

532 Cedar St, NW Addition

- Two-story addition (16 x 35 ft.)
- Kitchen/breakfast room extension
- Outside covered porch
- 2nd floor bedroom and bath
- Originally ceded portion of backyard to 6919 property





Shall not substantially visually intrude on the character, scale and pattern of houses . . . [Section 223(c)]

530 Cedar St, NW

- No addition added besides deck
- Originally ceded portion of backyard to 6919 property





Shall not substantially visually intrude on the character, scale and pattern of houses . . . [Section 223(c)]

528 Cedar St, NW Addition

- One-story addition (16 x 34 ft.)
- Kitchen and sunroom extension
- New deck with hot tub
- Completed in 1996





Shall not substantially visually intrude on the character, scale and pattern of houses . . . [Section 223(c)]

6909 5th St, NW Addition

- Bungalow style closer to 6919
- One-story addition (15 x 30 ft)
- Large sun room
- Built in 1991



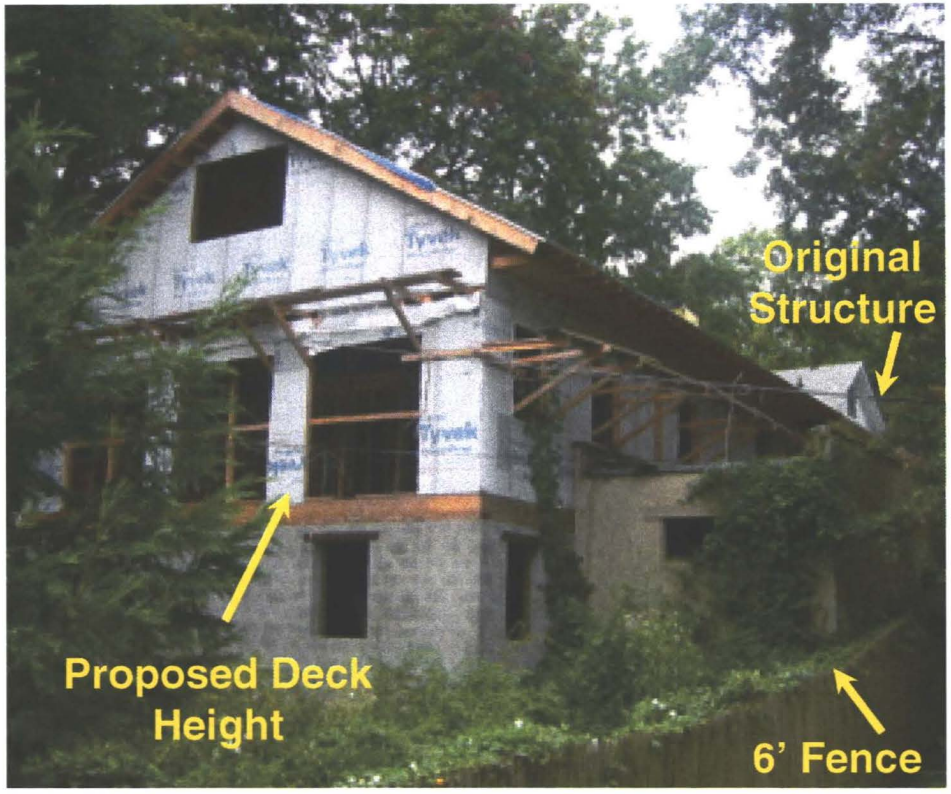




Shall not substantially visually intrude on the character, scale and pattern of houses . . . [Section 223(c)]

6919 6th St. Addition

- Original structure (28 x 29 ft.)
- Three-story addition (28 x 44 ft.)
- Basement/Ground Floor
  - + 4 bedrooms
  - + Bathroom
  - + Storage room (11 x 14 ft.)
- Second Floor
  - + Kitchen extension
  - + 2 bedrooms (1 master with separate dressing room)
  - + Bathroom
  - + Two-story living room
  - + Deck
- Attic with loft
  - + Open living space (27 x 30 ft.)



Rear and northern view of addition with attached garage from neighboring yard over 6' fence

= a three-story dwelling that towers over neighboring yards and negatively affects both air and light circulation, privacy and views from the street.

Shall not substantially visually intrude on the character, scale and pattern of houses . . . [Section 223(c)]

Lot Coverage Comparisons

Address	Original House	Addition	Garage	Deck	TOTAL	LOT SIZE	Percentage Coverage
6919 6th Street	**892.7**	**1239.5**	**276.0**	**113.2**	**2521.4**	**5725.0**	**44.04%**
6915 6th Street	1031.8	192.0	210.0	163.0	1596.8	6870.0	23.24%
532 Cedar Street	780.0	568.0	312.0	NA	1660.0	6900.0	24.06%
530 Cedar Street	1367.3	NA	198.0	220.4	1785.7	6900.0	25.88%
528 Cedar Street	1371.0	584.0	240.0	240.0	2435.0	9690.0	25.13%
6906 5th Street	1242.0	337.5	188.5	NA	1768.0	6050.0	29.22%

Note: All measurements derived from surveyors plats

Substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property . . . . [Section 223.2]

- Addition is clearly visible from all abutting properties and destroys privacy of use and enjoyment of adjoining backyards.
- Multiple windows and proposed deck will provide "line of sight" into bedrooms and kitchens, especially for Cedar Street properties.
- South side of addition creates a narrow 8' x 73' long pathway with overhang that affects both light and air and privacy of the abutting property.
- Owner/developer has provided misleading information about the impact of the structure in his applications to BZA and prior applications to HPRB



View from 528 Cedar yard showing size and height issues.



View from 6915 6th showing side-yard easement on south side

Privacy of use and enjoyment of neighboring properties shall not be unduly compromised [Section 223.2 (b)]

Views from 528 Cedar



Backyard over 7' privacy fence



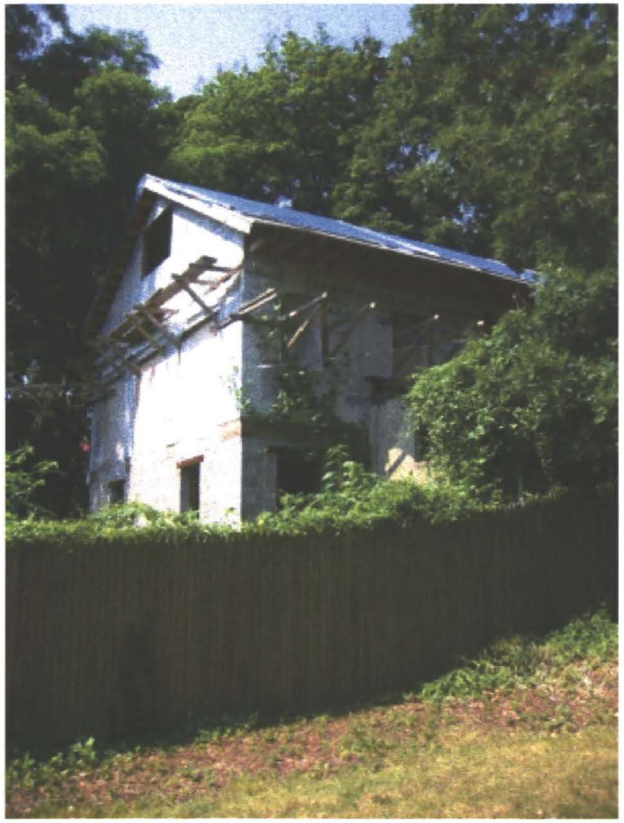
2nd floor office view



Inside kitchen/sunroom

Privacy of use and enjoyment of neighboring properties shall not be unduly compromised [Section 223.2 (b)]

Views from 530 Cedar



Backyard view over 6' privacy fence



2nd floor bedroom view



View from back deck

Privacy of use and enjoyment of neighboring properties shall not be unduly compromised [Section 223.2 (b)]

Views from 6915 6th St.



Backyard view over 6' privacy fence



2nd floor bedroom view



Inside kitchen/sunroom view

Light and air available to neighboring properties shall not be unduly affected [Section 223.2 (a)]

Views from 6915 6th St.



Front (above) and rear (below) views of 73' solitary passageway





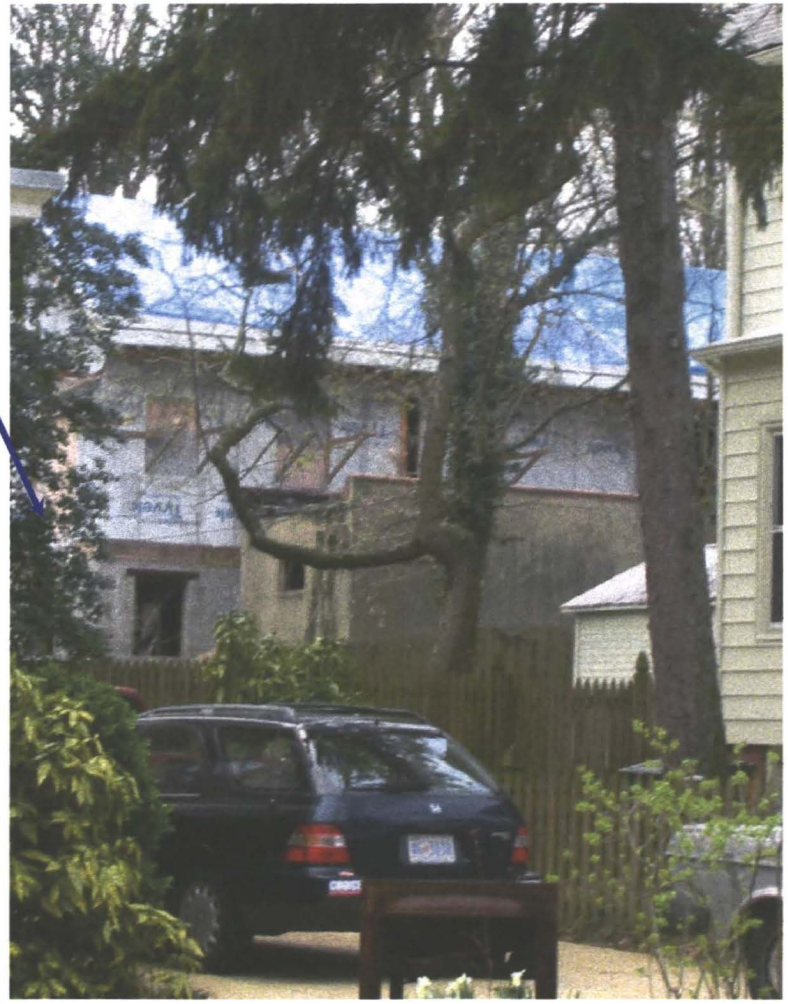
Air/light impact viewed from adjoining property driveway and deck



From the street, alley, and other public way, shall not substantially visually intrude. . . [Section 223.2 (c)]

Prior permit applications failed to disclose any views from Cedar Street. HPRB has directed that these views be included in future re-submissions.

Proposed Deck Height



View from 528 Cedar sidewalk



View from 530-32 Cedar sidewalk

Graphical representations....to represent the relationship of the proposed addition to adjacent buildings and views from public way. . . [Section 223.2(d)]

Southeast Views

Picture (below) provided by applicant shows "Rear yard toward SW" (actually SE) with added reference arrow. Contrasting view (right) from adjacent back yard with same reference arrow, shows neighbors' view of the addition over the 7' privacy fence.



Rear yard toward SW



Graphical representations....to represent the relationship of the proposed addition to adjacent buildings and views from public way. . . [Section 223.2(d)]

Northeast Views

Picture (below) provided by applicant shows "Rear yard toward SE" (actually NE) with added reference arrow. Contrasting photo (right) from adjacent back yard, with same reference arrow, shows neighbors' view of the addition over the 6' privacy fence.





Rear yeard toward SE

Graphical representations....to represent the relationship of the proposed addition to adjacent buildings and views from public way. . . [Section 223.2(d)]

North Views

Picture (below) provided by applicant shows view from "First floor last window toward yard of 530 Cedar." Contrasting photo (right), from adjacent back yard, shows neighbor's view of the addition over the 6' privacy fence.



First floor last window toward yard of 530 Cedar Street



Graphical representations....to represent the relationship of the proposed addition to adjacent buildings and views from public way. . . [Section 223.2(d)]

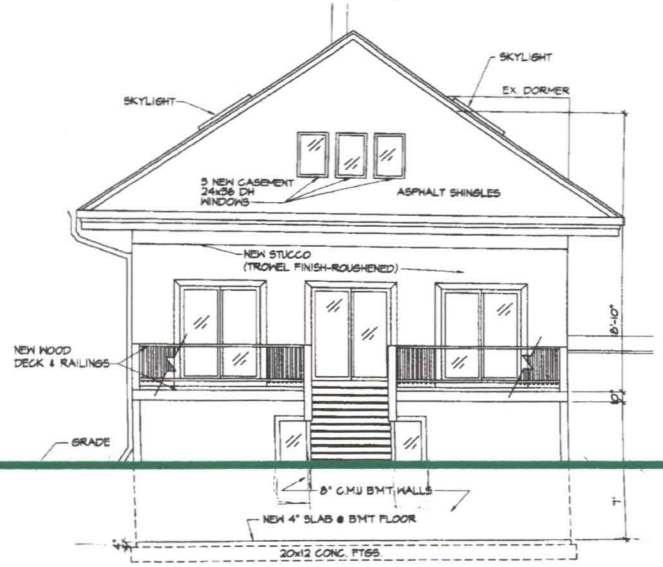
While the front view shows some consistency between the drawing and the actual structure....





Grade

The rear view shows errors in grade, scale, and placement and size of the windows.





Grade

Graphical representations….to represent the relationship of the proposed addition to adjacent buildings and views from public way. . . [Section 223.2(d)]

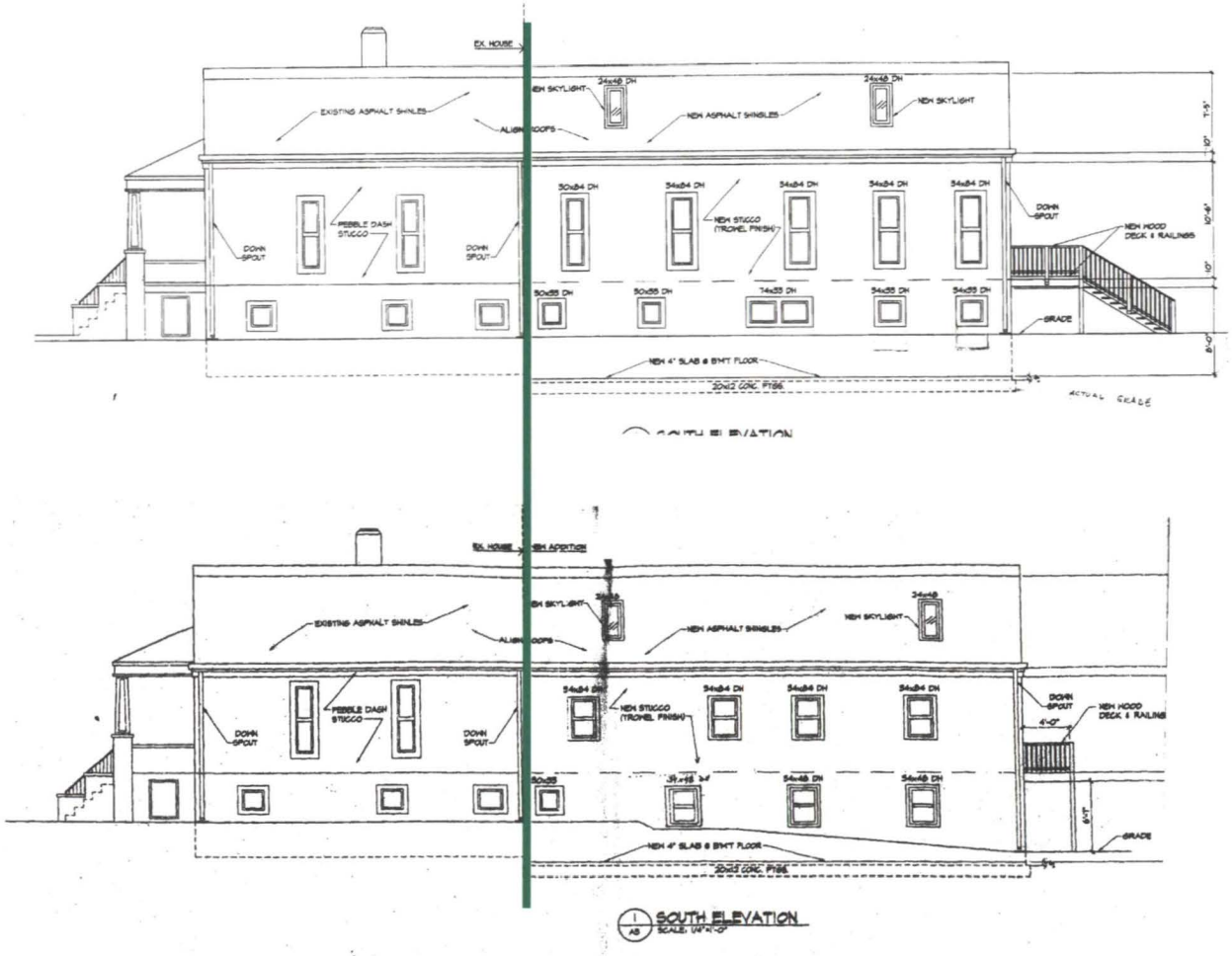
Original Plans

- Grade portrayed as level ground without 8 -10 ft. downward slope
- Addition shown as one-story structure with front/back similar in height and size.

Revised BZA Plans

- Some evidence of grade added
- Deck/balcony now shown as 6'7" above grade without stairs
- Back view not provided
- No evidence of "relationship of the proposed addition to adjacent buildings and views from public ways."

Original side view submitted to DCRA/HPRB

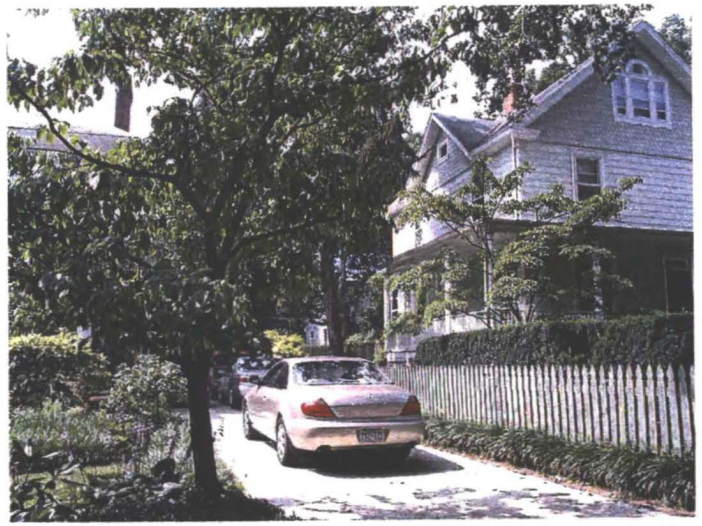


Revised side view submitted to BZA

Graphical representations....to represent the relationship of the proposed addition to adjacent buildings and views from public way. . . [Section 223.2(d)]

Contrasting Cedar Street Views

Picture (right) provided by applicant shows dogwood in foreground blocking the view of the addition. Contrasting photos (below), both with portions of the same dogwood visible in the right corners, show "summer" and "winter" views of the actual addition from Cedar Street sidewalk.



Sidewalk in front of 528 Cedar Street toward addition



*528 Cedar St. view **with** deciduous tree covers.*

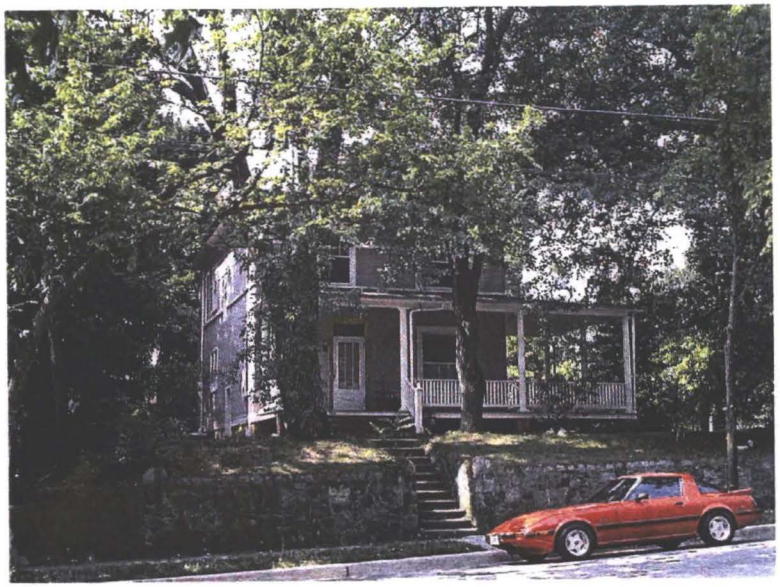


*528 Cedar St. view **without** deciduous tree covers.*

Graphical representations....to represent the relationship of the proposed addition to adjacent buildings and views from public way. . . [Section 223.2(d)]

"Same Side Yard" Finishes

Picture (right) provided by applicant shows "same side yard finish" as 6919 picture below (incorrectly labeled '6915'). The 6919 passageway is 8'W x 73'L with closest structure (visible at right) 10' feet from adjacent property line. Contrasting photo (below right) shows Butternut side yard passageway which measures 21'W x 32'L with closest structure (visible at left) 32' from adjacent property line.



524 Butternut with same side yard finish



South Side Yard 6915 6th Street



Graphical representations....to represent the relationship of the proposed addition to adjacent buildings and views from public way. . . [Section 223.2(d)]

"Similar Addition"

Picture (right) provided by applicant is labeled "showing similar addition" which is actually an enclosed sleeping porch that measures 9.5' L x 28' W as opposed to the 6919 addition that measures 44' L x 28' W.



520 Butternut showing similar addition

Graphical representations....to represent the relationship of the proposed addition to adjacent buildings and views from public way. . . [Section 223.2(d)]

Feedback from the HPRB Hearing

Commissioner [Ronnie] McGhee: My point is that, the plans were misrepresented to us and whether it was purposeful or not or incompetence or, you know, an error or whatever, we approved this based on the massing of a building – based on a certain size. So, I don't see why we should allow that mistake to stay in place.

Commissioner [Amy] Weinstein: He also needs to also include when he comes back a certified land survey showing all the elevations on his property as well as his neighbors' rear yards, yes, at least 20 or 30 feet into all the neighboring properties, so that we can really see what is accurate here.

Chairman [Tersh] Boasberg: I think this is just a mess...I think we have an experienced person here, who has obviously been before us before for illegal work, improper work.... I'm very unsympathetic. I think that you have to go back to the drawing board and come back with the kind of addition that would be allowed by this board, based on accurate plans.

Excerpts from the Public Hearing Transcript, September 23, 2004

Graphical representations....to represent the relationship of the proposed addition to adjacent buildings and views from public way. . . [Section 223.2(d)]

- Misrepresentations noted by HPRB:
  - Prior approvals based on incorrect massing and size representations
  - Originally shown as level property without revealing major downward slope of backyard resulting in three-story addition
  - Concerns about prior stop work order due to illegal work.
- Unreported but significant view of entire addition from Cedar Street and neighboring yards



Ground-level view from 528 Cedar yard over 7 ft. high fence (top of fence shows proposed grade level in approved plans)

Summary

- Neighboring additions have all conformed to zoning and historic regulations.
- The 6919 addition, as constructed, is an aberration because of its size and scale with violations of zoning regulations and historic preservation requirements based on misrepresentations on the approved drawings.
- The 6919 addition negatively impacts on the air, light and privacy of use and enjoyment of all abutting properties and the views from Cedar Street.
- Abutting property owners and neighbors on contiguous block and opposite streets **unanimously oppose** the current addition with support from organizational and political leaders.
- Other unresolved issues such as legally joining the lots (requiring HPRB approval) must be addressed before construction is allowed to be continued.

