

St. Clair Condominium Association Board
1717 T St. NW
Washington, DC 20009

February 19, 2016

Board of Zoning Adjustment
441 4th St. NW Suite 200S
Washington, DC 20001

Dear Members of the Board of Zoning Adjustment:

We, residents of 1717 T St. NW, Washington, DC, strongly object to Reneau Real Estate's application (**BZA No. 19188**) for variances in connection with the construction of a new four-unit apartment building at 1719 T St. NW, the lot adjacent to our building. We believe the new building, as currently envisioned, would have a severely detrimental effect on our neighborhood, including our property.

We recognize that the applicant has a right to construct a four-unit building on the existing vacant lot. However, as abutting owners, we expect that the building will be one that conforms to zoning regulations, which are designed to protect future occupants, abutting and other nearby neighbors, and serve the public good and protect the historic ambience of our neighborhood. As currently envisioned, the proposed building at 1719 T St. NW is precisely the kind of construction that the zoning regulations are designed to guard against, and we vigorously oppose any variances that would allow it to be built.

We object to Reneau Real Estate's proposed design and requested variances for the following reasons: 1) the design dramatically exceeds the maximum percentage of lot occupancy (60% maximum, 74% proposed), and the requested variances would allow this design to stand; 2) the design exceeds, and the variances request relief from, the maximum allowed FAR and the minimum width and area requirements for a closed court; 3) the requested variances would result in substantial detriment to the public good, including to our building, as the proposed plans would substantially impact the amount of light and air available to our balcony and our units. In addition, the modern design of the exterior introduces an inappropriate and "jarring" style in our historic neighborhood, a design approved without proper notification of neighboring residents.

The applicant's plan envisions a building that is wholly out of character with the nature of the surrounding historic district, and we as abutting neighbors were not adequately notified of hearings that took place in relation to its design. The extremely modern façade is entirely inappropriate in the Strivers' Historic District, and we are quite frankly shocked that the Historic Preservation Review Board (HPRB) would have given their approval for the design. Although the applicant's Prehearing Statement notes that the HPRB undertook "a round of community review and input," we as abutting neighbors were never formally made aware of this process, which we understand was the

responsibility of the applicant. On our own initiative we submitted a written objection to the proposed plan to the HPRB last May, at which point we were led to believe that it was highly unlikely that the design would be approved in its current state. Upon review of the HPRB's public documents in relation to this project, we find no reference to our objections. As the District's own Historic Preservation Guidelines state, new buildings in historic districts should respect the "design, materials and other character-defining elements of the historic buildings, as well as respecting the character of...other important features of the street and district." The proposed façade of the applicant's building does none of these things. Similarly, we understand that the ANC 2B approved these plans during a meeting of which we were also—as abutting neighbors—not informed. In fact, we were entirely unaware of the role of the ANC in this process.

In order to be granted a variance, the applicant must show that they meet the three part test described in § 3103. We believe that the applicant's arguments fail in all three areas.

1. Physical Characteristics of Exceptional Narrowness or Shape Resulting in Peculiar and Exceptional Practical Difficulties or Exceptional and Undue Hardship Upon the Owner of the Property

The lot where Reneau Real Estate proposes to build does not exhibit characteristics of exceptional narrowness or shape. It is a small and narrow lot, to be sure (likely, as the applicant states, the narrowest in the area), but just because a lot is small is no reason to be granted a variance from zoning regulations that are intended to limit overuse of space and preserve light and air for occupants of a building, as well as those in neighboring buildings. The applicant argues that he must be provided with additional space in order to accommodate light and air needs, as well as emergency escape exit windows, but there is no reason why those things cannot be provided within a smaller overall floor space. If the apartments did not contain dens, an interior court with emergency windows would not be necessary, for instance. The lot presents no practical difficulties or undue hardship—let alone "exceptional" ones—to building a small apartment building. It is unfortunately too small to build a building of the size the applicant would like—with three apartments that are one bedroom/two bath, plus den, and a fourth apartment with an upstairs mezzanine and bathroom. It would be perfectly practical to build a smaller apartment building in the space, perhaps with one-bedroom or studio apartments, and this is what the zoning regulations envision. The only "spatial design challenge" in this case is that the lot is too small for large apartments. A variance should not be granted in this case merely because the applicant faces the inconvenient fact that the lot does not accommodate the size of a building he would like to build.

2. and 3. The Variances Will Not Result in Substantial Detriment to the Public Good or Impair the Intent, Purpose and Integrity of the Zone Plan

The requested variances would result in substantial detriment to the public good, including to the neighboring apartments at 1717 T St., and greatly impair the intent, purpose and integrity of the zone plan.

The requested variances would allow the building to greatly exceed the maximum percentage of lot occupancy and, as the Office of Planning has noted in its review, a FAR “well in excess of the FAR limit of 1.8 established for this zone.” As owners of apartments in neighboring 1717 St, we assert that this proposed structure, contrary to the argument of the applicant, will indeed result in adding substantial building bulk to the street, both because of the proposed mezzanine (which is, in reality, a fourth story) and because of the proposed length (or depth) of the building. The fourth story and extended rear would in fact be incompatible with the prevailing scale of adjacent buildings. (See Exhibit A) This design will not only reduce ground level green space but it will substantially reduce the amount of light and air available to the neighboring apartments at 1717 T St.

According to the applicant’s floor plans, the building will project beyond the rear wall of our building, and a massive metal stairway will be flush against the side of our balcony, walling us in. It will dramatically reduce the breadth of our view of the outside, create an eyesore, and reduce the amount of light entering our rear windows, as well as air flow into our balconies. (See Exhibit A) The staircase would not need to protrude as far in the back if the entire building were smaller, in keeping with the zoning requirements. The plans also call for living space that extends beyond the back of our building, including a substantial fourth floor addition, which would wall us in further and block even more light from reaching our balcony and back windows. Although the drawings project that the mezzanine will not be visible from T Street, we are doubtful of this. And certainly from the rear, this fourth story will loom over the alleyway, higher than any of the abutting buildings. The applicant’s proposal is disingenuous when he calls the apartment a “three story” building. The building will in reality contain four apartments and four stories, as the mezzanine level is a full story tall, containing interior living space, including a bathroom. The applicant’s statement that the proposed building will be “hardly noticeable” is inaccurate.

The proposed oversized and inappropriately modern building will have the severe detrimental impact on our neighborhood, including our property at abutting 1717 T St., that zoning regulations are in place to prevent—namely the reduction of green space to living space, the reduction of light and airflow, and safe egress for occupants.

Sincerely,

A handwritten signature in cursive script, appearing to read "Elizabeth Phelps".

Elizabeth Phelps, on behalf of the
St. Clair Condo Association Board
Russell Hayer, President
Elizabeth Phelps, Vice President
Maha Armush, Secretary
Rebecca Katz, Treasurer

EXHIBIT A



Proposed covered stairs and mezzanine projection would wall in the entire side of this balcony

Under current design, back of the building and staircase would project beyond our building, restricting all air flow and light onto our balconies and into our back windows.

Proposed fourth story—"mezzanine"—would tower a full story above these two buildings from this vantage point, also blocking light.



All other abutting buildings are 2-3 stories high (these are buildings across the alley from the proposed construction). The proposed mezzanine level would block light for all nearby buildings, obstruct views, and generally tower over the alleyway inappropriately (a full story above all of these buildings).