



ADVISORY NEIGHBORHOOD COMMISSION 4C

www.anc4c.org

Phone: 202-723-6670

Email: 4C@anc.dc.gov

Zachary Teutsch
Chairperson
4C05@anc.dc.gov
202-599-0915
SMD 4C05

Joseph Martin
Vice-Chairperson
4C09@anc.dc.gov
202-309-1817
SMD 4C09

Ulysses E. Campbell
Treasurer
4C03@anc.dc.gov
202-792-8258
SMD 4C03

Jonah Goodman
Secretary
Parliamentarian
4C10@anc.dc.gov
732-456-6244
SMD 4C10

Charlotte Nugent
4C01@anc.dc.gov
857-540-0456
SMD 4C01

Maria Barry
4C02@anc.dc.gov
202-258-5031
SMD 4C02

Michael Halpern
4C04@anc.dc.gov
202-378-8618
SMD 4C04

Bennett Hilley
4C06@anc.dc.gov
SMD 4C06

Karen W. Cooper
4C07@anc.dc.gov
202-607-1099
SMD 4C07

Timothy A. Jones
4C08@anc.dc.gov
202-722-0701
SMD 4C08

#19564 ANC Letter

Board of Zoning Adjustment
Chairperson Hill
441 4th Street, NW, Suite 200S
Washington, DC 20001

The Board of Zoning Adjustment has requested the applicant follow up with renderings of the full height and rear addition in relation to the neighborhood. This is ANC 4C's response. In two previous votes before the ANC, 7 of 10 Commissioners have voted to support the opposition to this and offered the applicant a compromise of supporting the three unit special exception if the rear addition came back to the 10' allowed by right.

The ANC's position is that both the BZA and Office of Planning have opposed a similar but smaller rear addition, in the same SMD only four blocks away, in the same contiguous RF-1 zone earlier this year. In that case, #19418, both the BZA and Office of Planning's arguments are relevant to the impact of this proposal which we feel does unduly impact the square as well as the character of the area (02/22/2017 BZA Transcript):

Office of Planning: *"You're correct, the Office of Planning doesn't support the waiver of the 10-foot addition provision. I believe that you know, in looking at the houses in the square and you know, both a site visit and then looking at aerial imagery, this is a block where the majority of the homes really have retained either that kind of sleeping porch, or you know, enclosed sleeping porch form, so that to introduce a solid mass that extends, you know, 20 feet beyond the rear wall really would introduce you know, a volume that would not be in keeping with the scale, 16 pattern, or character of the square."* (Page 399)

Office of Planning: *"...because the rear façade of all the homes, at least even on this block of the square, they are aligned. There aren't, you know, additions introducing a three-story volume that extends 20 feet back from the rear property line, does impact. I think it has privacy implications. There's now a rooftop deck. There is the stairwell that goes to the first and second level. And, you know, this creates a large blank wall. I understand that you're introducing the green screen on the one side, but it introduces a large blank wall you know, up against the adjoining properties."* (Pages 401-402)

Chairperson Hill: *"But I think your bigger problem again is the -- I don't know where the rest of the Board is here, but really it's kind of the pop-back that I'm having an issue with. And, I mean, I wish I could just say, okay, that's great. But again, we've gone through this so many times in terms of the 10 feet and the -- and so, you know, that is what the Zoning Commission got to which is that, you know, you could go 10 feet back from the existing property line, and you guys are going 20 feet back."* (Page 406)

In that case (#19418) the applicant was on a similarly sized lot, similarly located mid block, similarly in a north-south alignment. In the previous case both the ANC and neighbors supported a ~33% smaller rear addition which was opposed by the BZA and Office of Planning. In this case (#19564) the ANC has opposed the rear addition and the neighborhood has broken down to approximately 25 neighbors in favor and 15 opposed. The only true criteria differential in the cases is that the property in #19418 faces south and the property in #19564 faces north. Given that is the only difference

P.O. Box 60847
Washington, DC 20039

801 Shepherd Street, NW
Board of Zoning Adjustment
Washington, DC 20011
District of Columbia
CASE NO. 19564
EXHIBIT NO. 79

we feel that the same undue impact that the BZA found in case #19418 would therefore exist here.

The ANC is asking the BZA to support our compromise to the applicant to allow a three unit special exception and penthouse but to have the rear addition come back to the 10' permitted by right, or something closer. Even the stepped back 27' (second and third floor) and 19' (roof deck) rear additions are significant changes in character of this square. This addition will absolutely dwarf the surrounding houses (see Applicant's rendering on page 14). The ANC has used the previous decision by the BZA in case #19418 as the basis for our decision. We have used it on similar RF-1 rear addition cases when we work with applicants and neighbors. We ask the BZA to respect that previous decision and rule in a manner that is fair and consistent to all residents of this neighborhood. A resident should not have zoning regulations applied differently based on which block they choose to make their home, when most other criteria is the same. The ANC also recognizes that each case is unique and recognizes that the BZA does struggle with these requests as was evidenced by cases 19560 and 19576, and same opposition to hypothetical 30' rear additions, during the same November 15, 2017 hearing. We support the Zoning Commission's guidance on by right rear additions and believe that an addition of this size is not in keeping with the spirit of the regulations.

At the end of this letter are three images for reference. In figure 1 the street view shows the block in a nearly current state. In figure 2 the aerial view shows the existing square. The square currently has no rear additions beyond the 10' allowed by right. The applicant's 30' proposal would nearly double the building size on the property and be both unique and a precedent to this square if permitted. In figure 3 the photo shows the rear of the block, behind 418 Randolph, facing west towards the applicant's property at 428 Randolph.

Respectfully submitted,
Commissioner Jonah Goodman
ANC 4C10

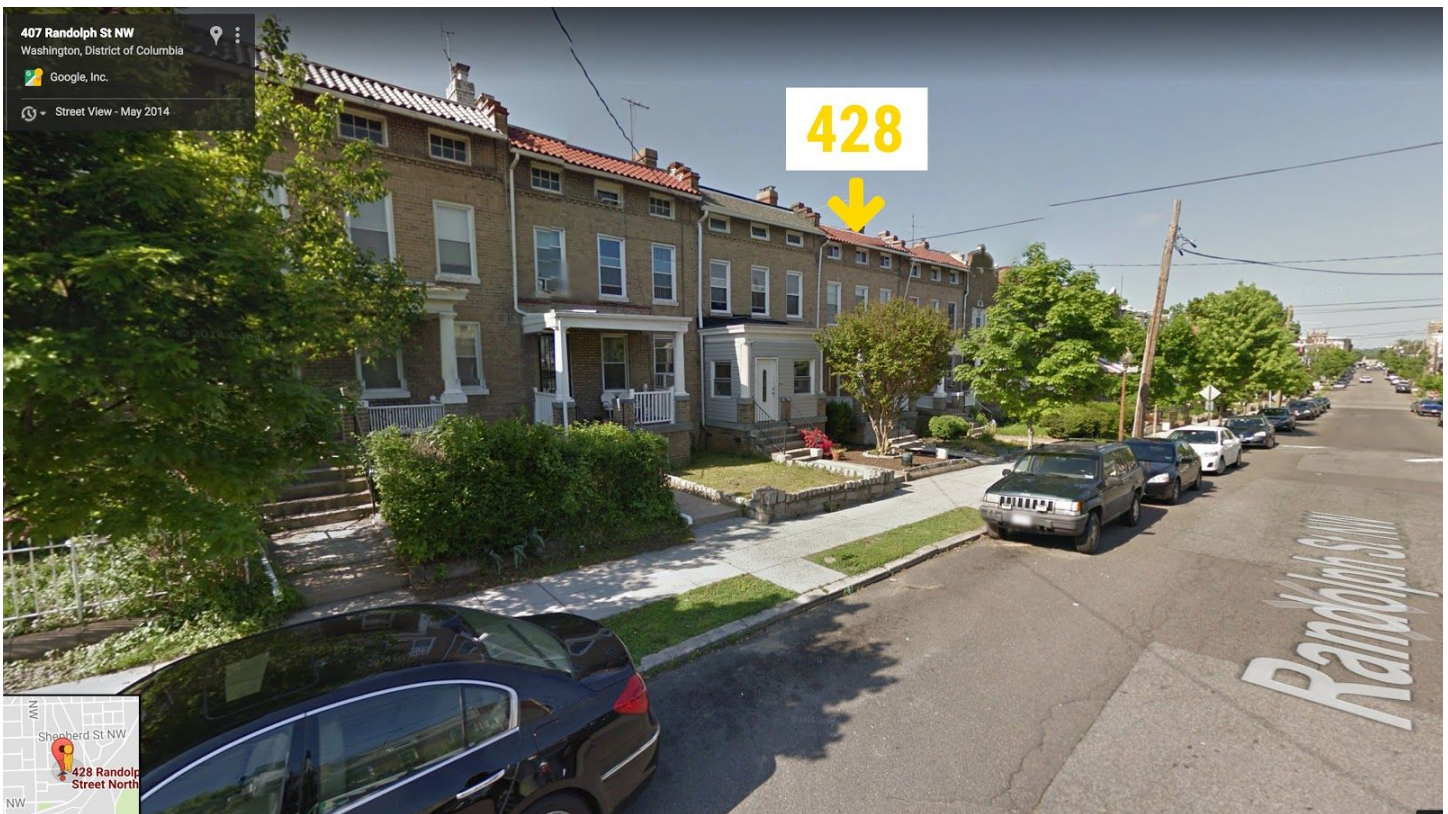


Figure 1

P.O. Box 60847
Washington, DC 20039

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Washington, DC 20011



Figure 2

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Washington, DC 20039

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Figure 3

P.O. Box 60847
Washington, DC 20039

801 Shepherd Street, NW
Washington, DC 20011