



Government of the District of Columbia  
**Advisory Neighborhood  
Commission 6C**

July 16, 2019

Board of Zoning Adjustment  
of the District of Columbia  
441 4th Street, NW  
Suite 210-S  
Washington, DC 20001

Re: BZA 20027 (520 Groff Ct. NE)

Dear Members of the Board,

On May 8, 2019, at a duly noticed and regularly scheduled monthly meeting, with a quorum of five out of six commissioners and the public present, this case came before ANC 6C. The commissioners voted 5-0 to support this application (with conditions, as described below) and to authorize 6C04 Commissioner Mark Eckenwiler to present testimony at the hearing.

At the time ANC 6C considered this case, the application sought, *inter alia*, variance relief from the alley-centerline setback and alley-lot height standards. Since then, the applicant has amended her request to seek special-exception relief (a decision with which the Office of Planning strongly disagrees). Because ANC 6C supports relief under the more stringent variance test, we did not reconsider this case in light of the amended application.

**Extraordinary or Exceptional Situation or Condition**

The property satisfies the first prong of the variance test under 11 X DCMR § 1000.1. The vacant portion of the lot was formerly occupied by a companion to the existing alley dwellings in the row. Like the vacant portion, each original lot in this row is extremely narrow (~12' wide).

The existing structure on the lot, 520 Groff Ct., already exceeds the 20' height limit imposed by section E 5012. Its cornice line aligns with that of its neighbor to the south, 518 Groff Ct.

Finally, and most importantly, the property sits within the Capitol Hill Historic District. Any addition must comply with HPRB's criteria for harmonizing new/expanded structures with the immediate context and the CHHD overall.

**Practical Difficulty**

Because any further construction on the site must satisfy HPRB's exacting standards, the owner has essentially one option: she can construct an addition that "reads" as another

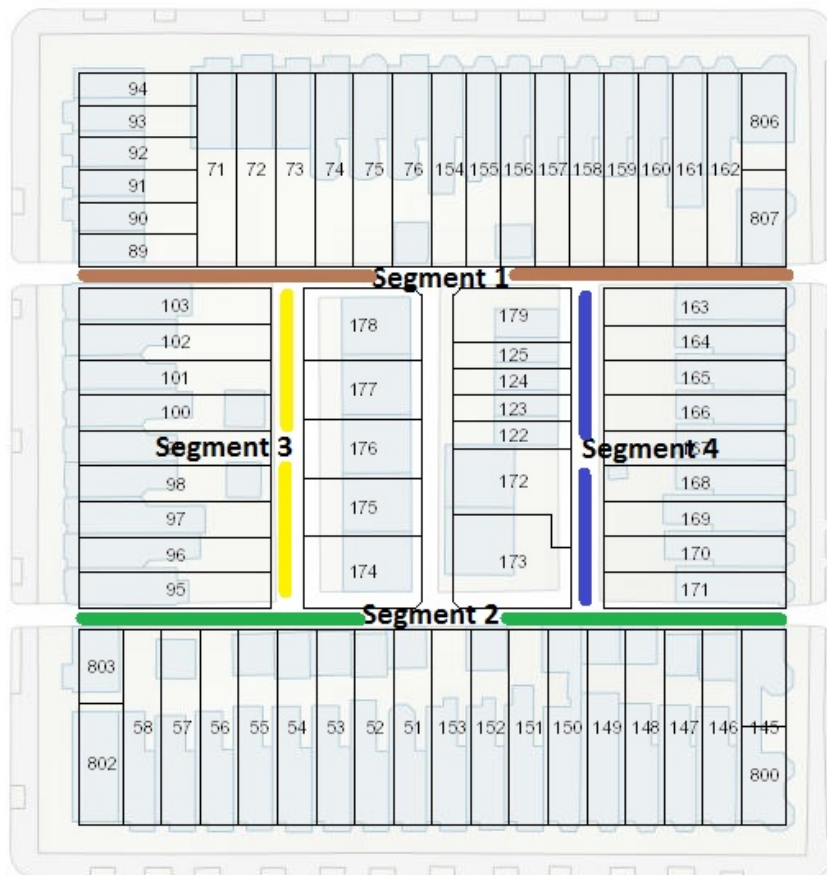
companion dwelling in the row. HPRB approved the applicant’s concept proposal for the latter on June 27; see <https://planning.dc.gov/sites/default/files/dc/sites/op/publication/attachments/HPRB%20ACTIONS%2006%202019.pdf>. HPRB is highly unlikely to approve a narrower, lower addition that breaks the pattern of identical façade widths or the cornice line. If the applicant cannot build to the north property line or match the existing structure height, her only alternative is to leave the north half of the lot vacant.

**No Substantial Detriment to the Public Good**

ANC 6C believes that granting relief here is in the public interest for several reasons.

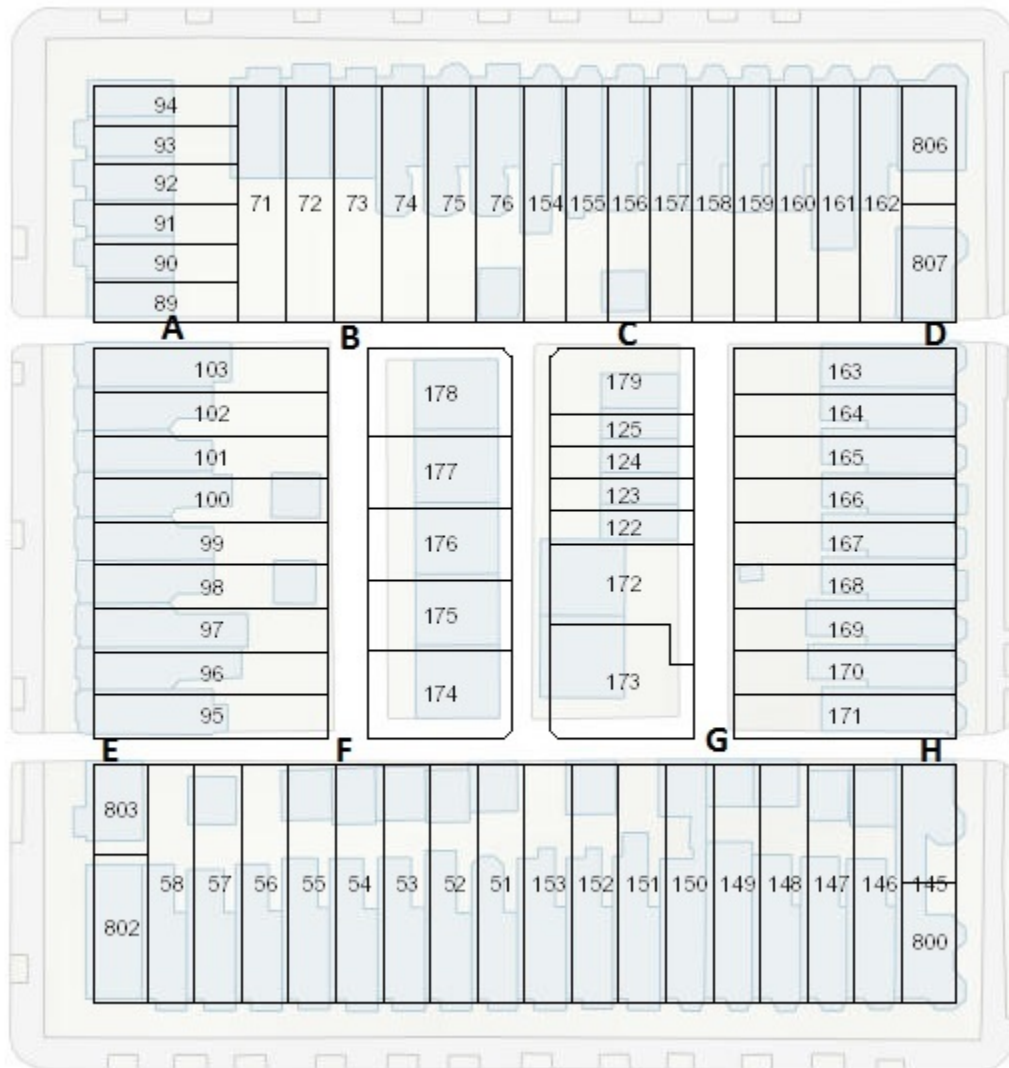
First, the proposed construction will not have an undue adverse impact on the air, light, and privacy of nearby residents. One condition of ANC 6C’s May 8 vote to support was that the applicant modify the second-story windows on the north elevation (*i.e.*, looking out over the rear yards of houses on F St.). We specifically asked that these windows be a) frosted or b) raised in order to protect the privacy of the potentially affected residents. The changes in the submitted drawings<sup>1</sup> address this concern.

Some neighbors have expressed concern about the proposed construction making vehicular turns in the alley difficult or impossible. We do not believe these objections to be well founded. To see why, it is important to understand the current alley configuration:



<sup>1</sup> Compare Sheets A-5 in Exhibit 43B (attached to pre-hearing statement) and Exhibit 6 (original).

Groff Court comprises four different segments intended for the use of motor vehicles. Segments 1 and 2, both only 10 feet wide, run east-west. Segment 3 (15') and segment 4 (20') run north-south, connecting to segments 1 and 2.



Numerous pinch points already exist in this alley complex. Most obviously, at all four entry points (A, D, E & H) from adjacent public streets the alley is 10 feet wide, with face-on-line buildings on either side. Likewise, because the wall of the applicant's rear yard runs along the north property boundary (C above), there is already a 10-foot pinch point there as well. Constructing the proposed addition does nothing to exacerbate these existing, highly constrained conditions.

We found complaints about the alleged detrimental effect on alley turn maneuvers equally unpersuasive:

- At points B and F, alley segment 3 (15') meets 10' alley segments 1 and 2. Not only are residents able to negotiate these turns, but so are DPW trash-collection trucks (both moving forward and even in reverse).

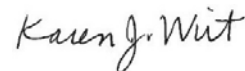
- Similarly, drivers entering the alley at point H (adjacent to 4<sup>th</sup> St.) must currently make a turn at point G—that is, from a 10-foot alley into 20-foot-wide segment 4—that is **identical** to what would result from the proposed construction. (When the applicant’s vehicle is parked on the lot, the same is true for drivers turning from alley segment 1 south into segment 4.)

As a result of these existing conditions, we conclude that granting the requested relief from the alley-centerline minimum setback would not be substantially detrimental to the public interest.

Finally, the ANC recognizes the potential short-term adverse impacts that might arise during construction on the site. Accordingly, ANC 6C’s vote to support was also conditioned on the applicant executing a construction management agreement (CMA) addressing issues such as a) the location of staging areas for storing construction materials and b) temporary obstruction of the alley by vehicles making deliveries or hauling away debris. The applicant recently provided us a copy of a signed CMA<sup>2</sup> that satisfactorily addresses these and other relevant issues. (That CMA is substantially, but not completely, identical to the unsigned exemplar submitted by the applicant on May 20 as an attachment to case exhibit 29.)

Thank you for giving great weight to the views of ANC 6C.

Sincerely,



Karen Wirt  
Chair, ANC 6C

---

<sup>2</sup>In its deliberations, ANC 6C openly discussed whether it would be sufficient for the applicant to sign a CMA with only a handful of neighbors, or even one. We concluded that a CMA with appropriate terms—such as a clause prohibiting the use of the alley to store construction materials, which the CMA here contains—would adequately protect the interests of nearby residents regardless of the number of signatories.