

March 24, 2021

Via JZIS

Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210S
Washington, DC 20001

Re: Prehearing Submission - BZA Case No. 20437 – 1819 A Street, SE

Dear Members of the Board:

On behalf of the Applicant, Enclosed are updated plans, shadow studies, a prehearing statement, a plat, and a revised-self certification. The following changes or clarifications have been made to the application, requiring updated materials enclosed above:

- Clarification on Scope of Project: Originally the statement and plans were not clear in that the existing first and second story levels are existing and are not being increased in size or depth. The description of the Project has been corrected in the enclosed prehearing statement.
- Third Story Addition Length: A field measurement was taken shortly after the plans were filed, which revealed that the existing two-story structure extends 14.5 feet past the adjoining building to the east. The Applicant is proposing to extend only the third story 19.5 ft. past the rear wall of the adjoining building to the east and cantilever it above the existing building footprint. The design and footprint of the third story is driven by the need for the cut-out around the neighbor's chimney.¹ The first and second stories are not increasing at all.

¹ Per building code, any chimney within ten feet must be at least two feet above the roof. Therefore, a third story addition would not be possible without the chimney cut-out.

- Shadow Studies: Shadow Studies are enclosed and, as discussed more thoroughly in the prehearing statement, demonstrate that there is no undue impact on the light and air available to neighboring properties as a result of the Addition.
- Additional Relief based on ZA Guidance: Subtitle E § 206.1 states that “a roof top architectural element original to a principal building such as cornices, porch roofs, a turret, tower, or dormers, shall not be removed or significantly altered, including shifting its location, changing its shape or increasing its height, elevation, or size.” There is an existing cornice on the top of the second story. It is not being modified whatsoever; however the ZA has issued guidance regarding the 3-foot rule: “there is also the ‘three foot rule’, that the addition of a floor or penthouse-- usually behind the element-- must be set back at least three feet from the rooftop architectural element to preserve its architectural integrity.” As the third story is not set back from the cornice, the Applicant is adding relief pursuant to E § 5207 from E § 206.1. The self-certification has been revised as a result, and a section explaining how we meet the burden of proof for this special exception has been added in the prehearing statement.
- Community Outreach and ANC Support: The Applicant has done extensive community outreach, including two (2) neighborhood virtual Zoom meetings, and is now in touch with the daughter of the adjacent neighbor to the east. The Applicant has also obtained multiple letters in support from the condo owners in the building to the west (1815 A) and from the neighbor across the street at 1814 A. The enclosed updated plans and the updated relief were presented to the neighbors, the ANC’s Planning and Zoning Committee on March 2, 2021 and to the Full ANC on March 9, 2021, where the Project received unanimous support from ANC 6B as reflected in their submitted report (Exhibit 30).

Respectfully Submitted,
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CERTIFICATE OF SERVICE

I hereby certify that on March 24, 2021, an electronic copy of this Prehearing Submission was served on the following on behalf of the Applicant, Datis Properties LLC.

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Respectfully Submitted,

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