

BZA Application: 4509 Foxhall Crescent BZA Case No. 20636

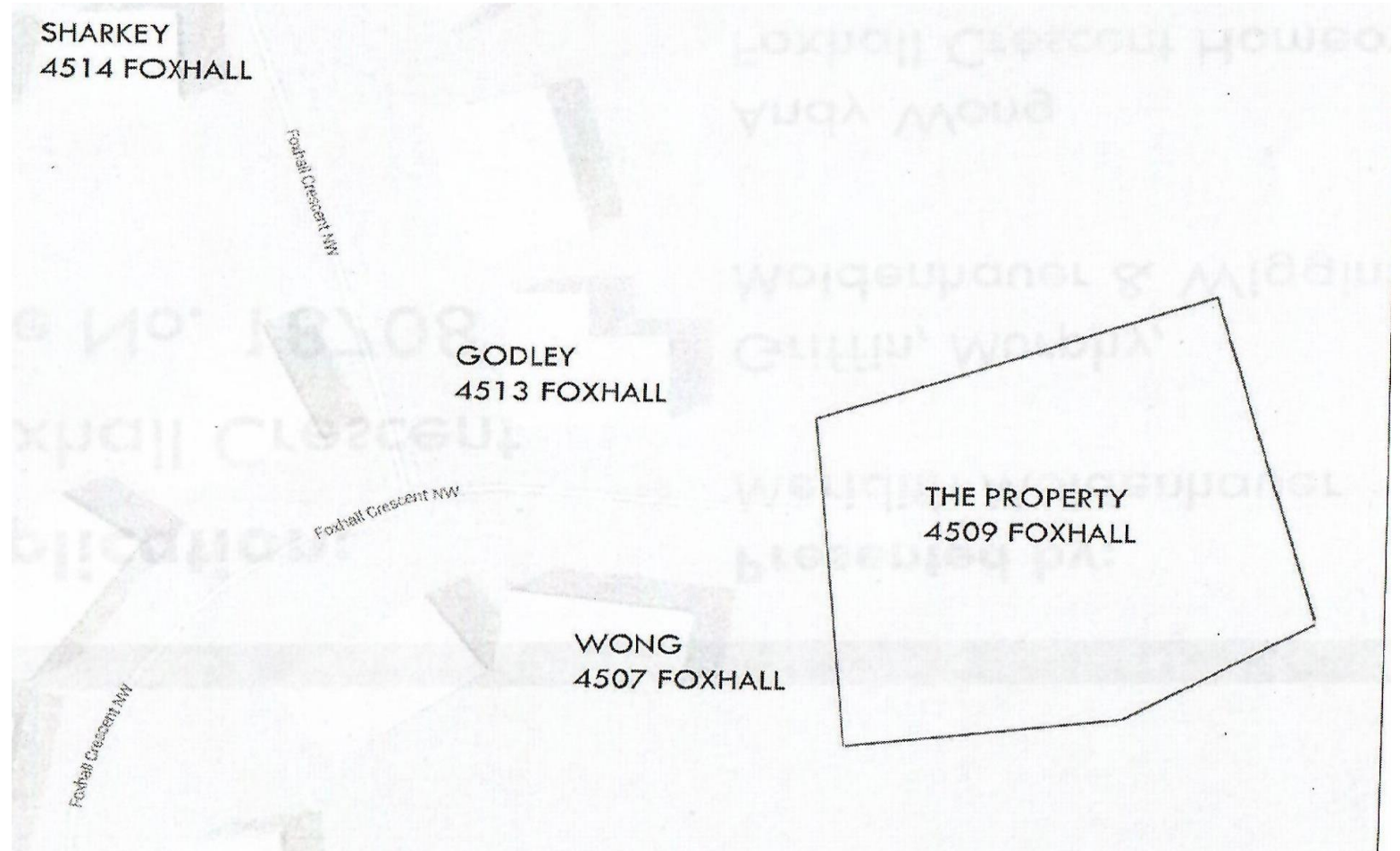
Presented by:

Gene Godley and Robert Sharkey

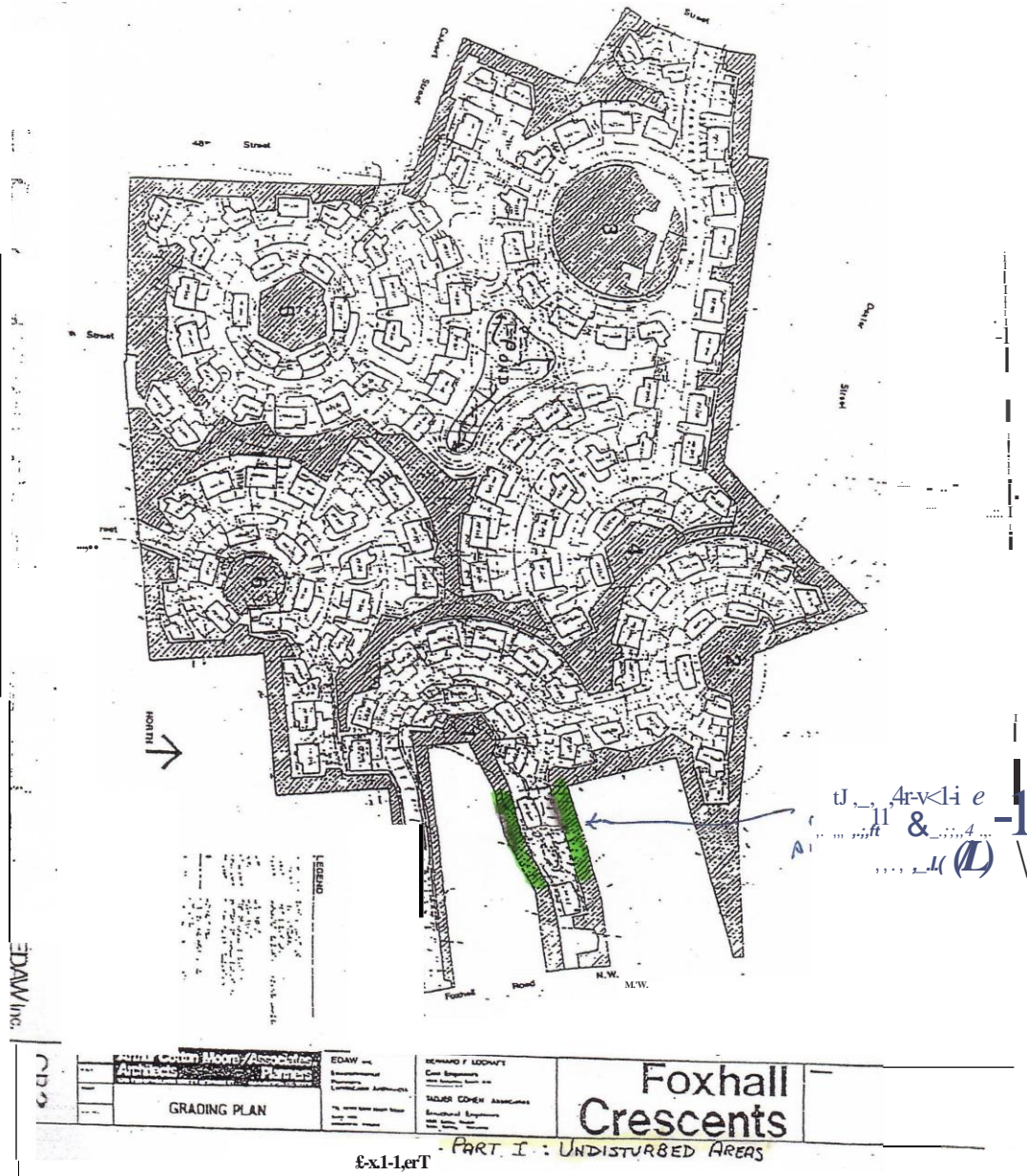
Foxhall Crescent Homeowners Association members and property owners within 200 feet

Who we are and why we are here

Slide 2: Homeowners Property Locations and The Penguin Property



Slide 3: Foxhall Crescents
 30' Undisturbed Perimeter
 and Internal Perimeters



EDAW INC.

LEGEND
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EDAW INC.
 ARCHITECTS & PLANNERS
 GRADING PLAN

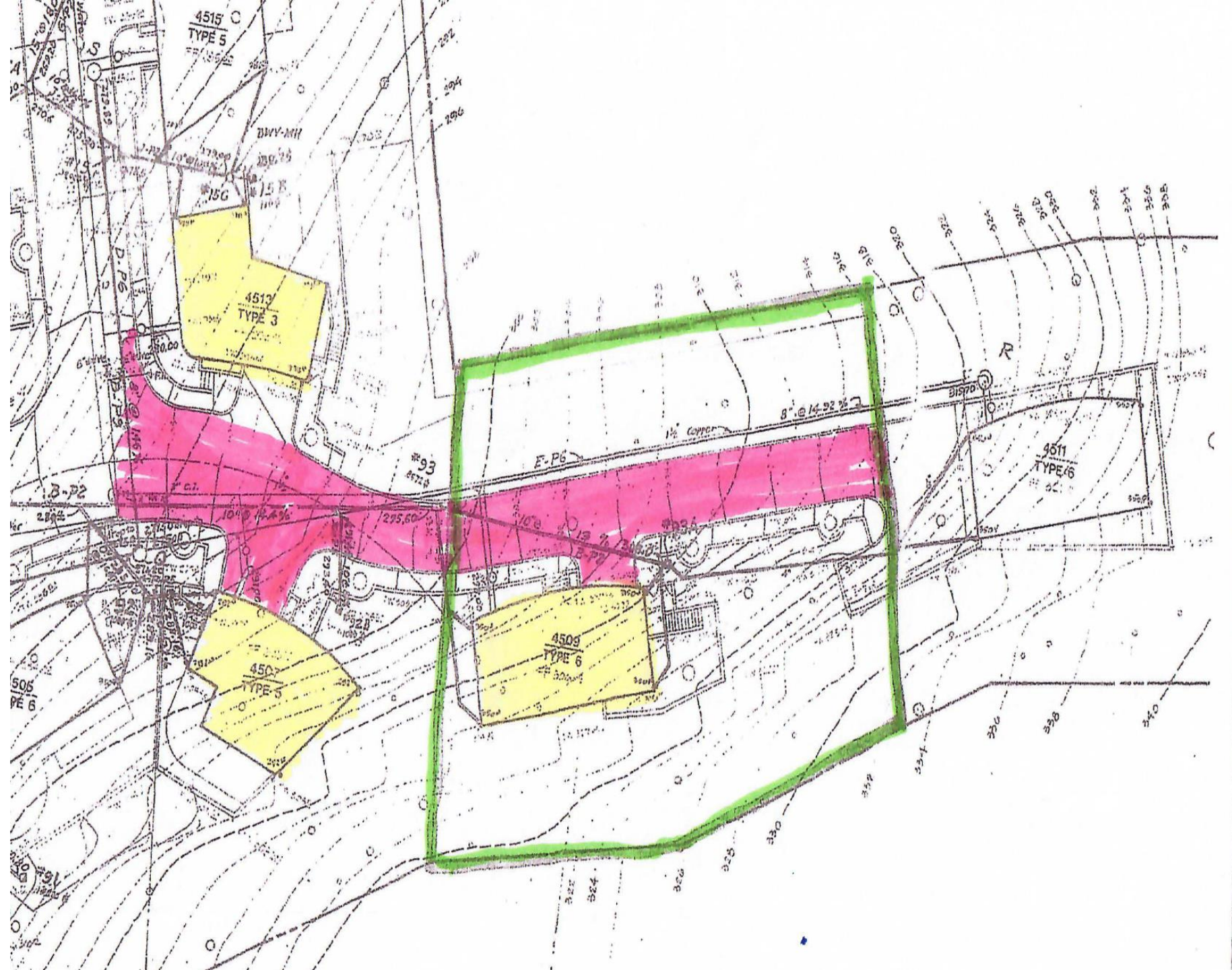
EDAW INC.
 CONSULTING ARCHITECTS
 CONSULTING ENGINEERS

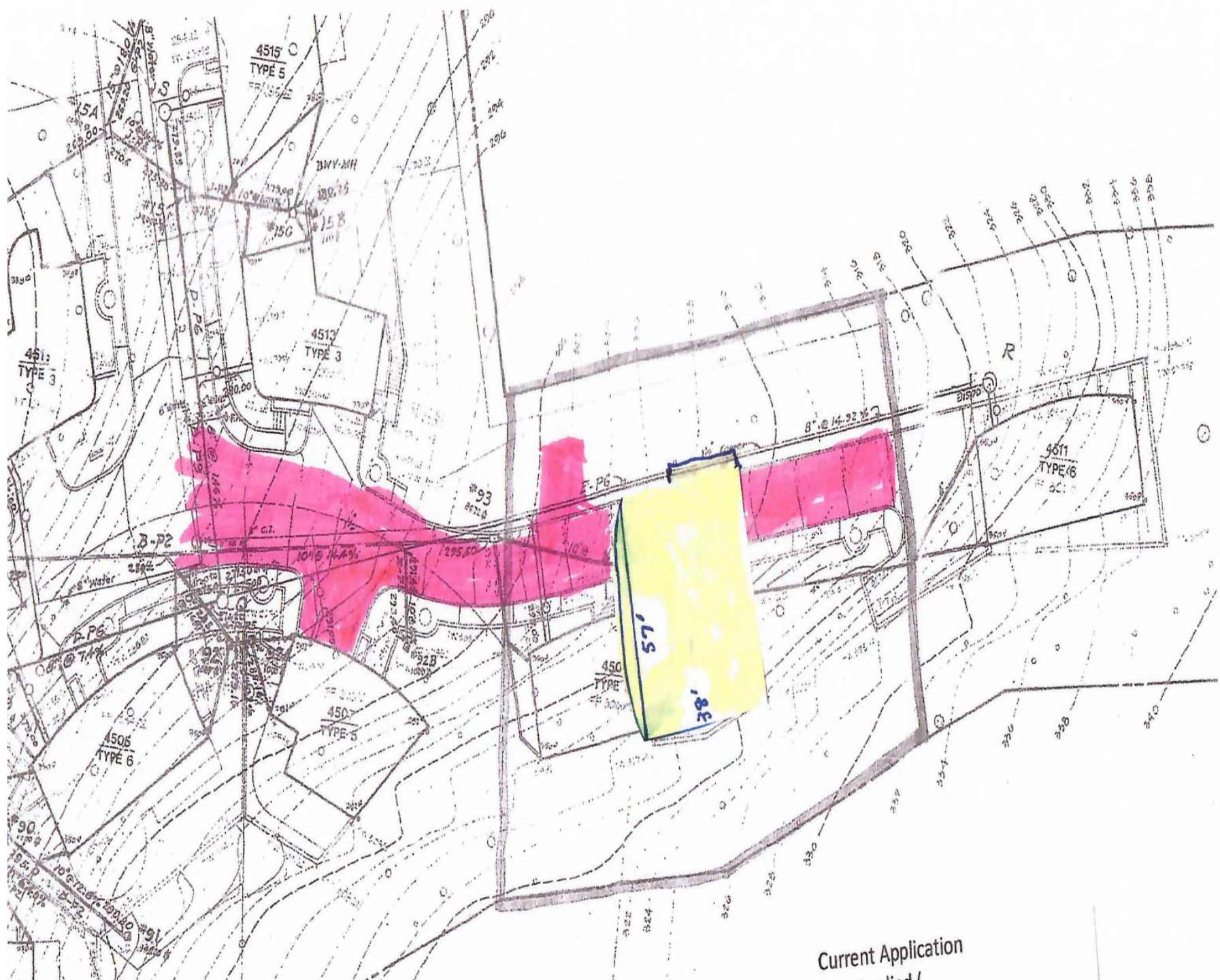
RICHARD F. LUDWIG
 CONSULTING ARCHITECTS
 CONSULTING ENGINEERS

Foxhall Crescents

1/8" = 1'-0"
 PART I: UNDISTURBED AREAS

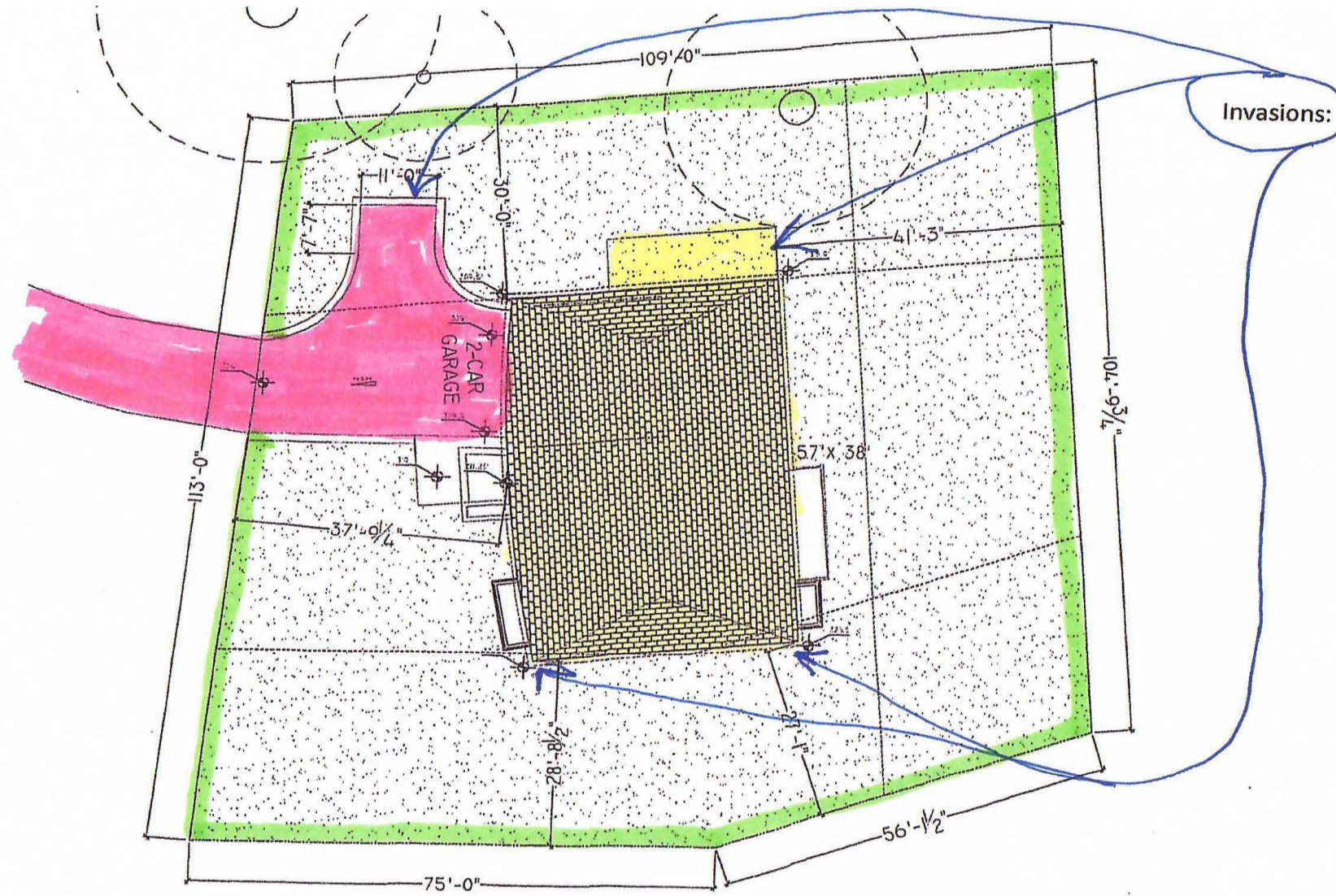
Slide 4: Original ACM
Design for 4509 VI house
and road





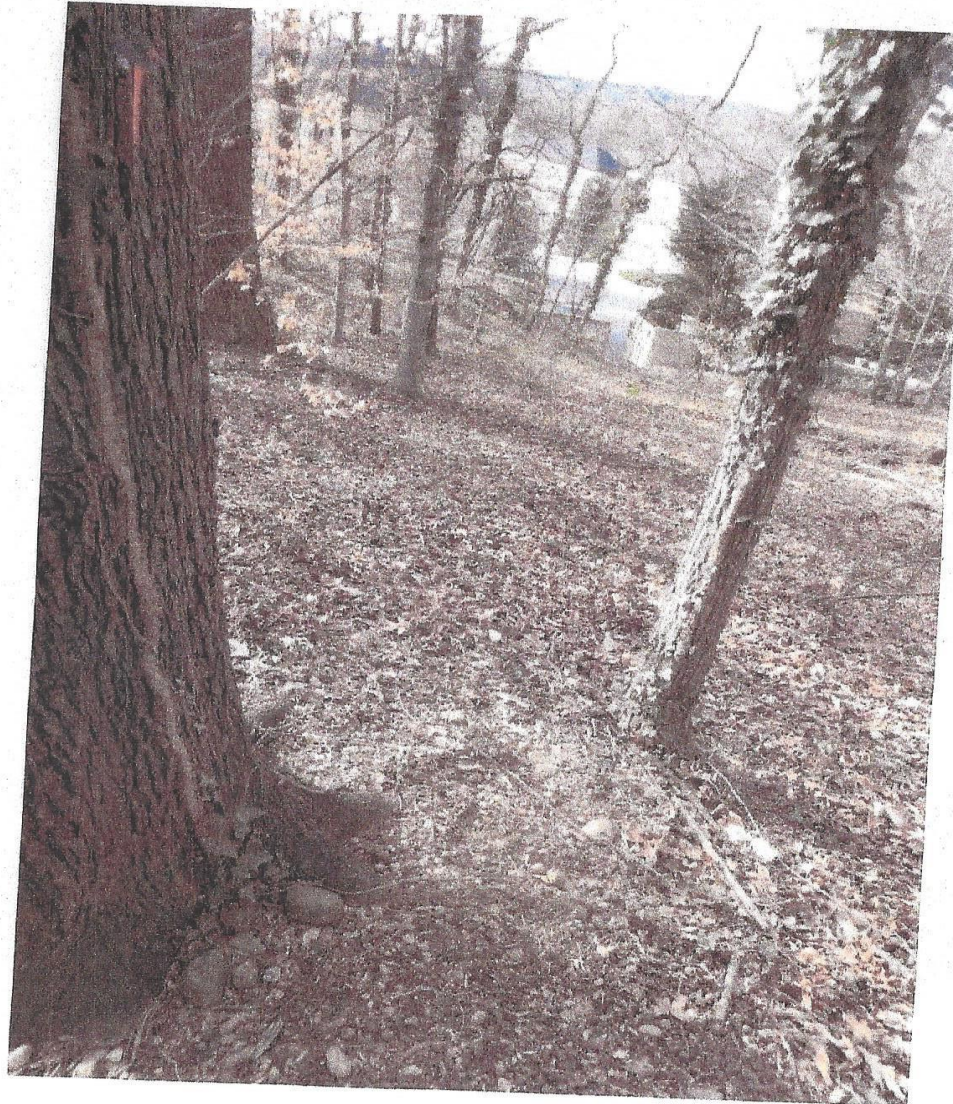
Slide 5: Penguin Application

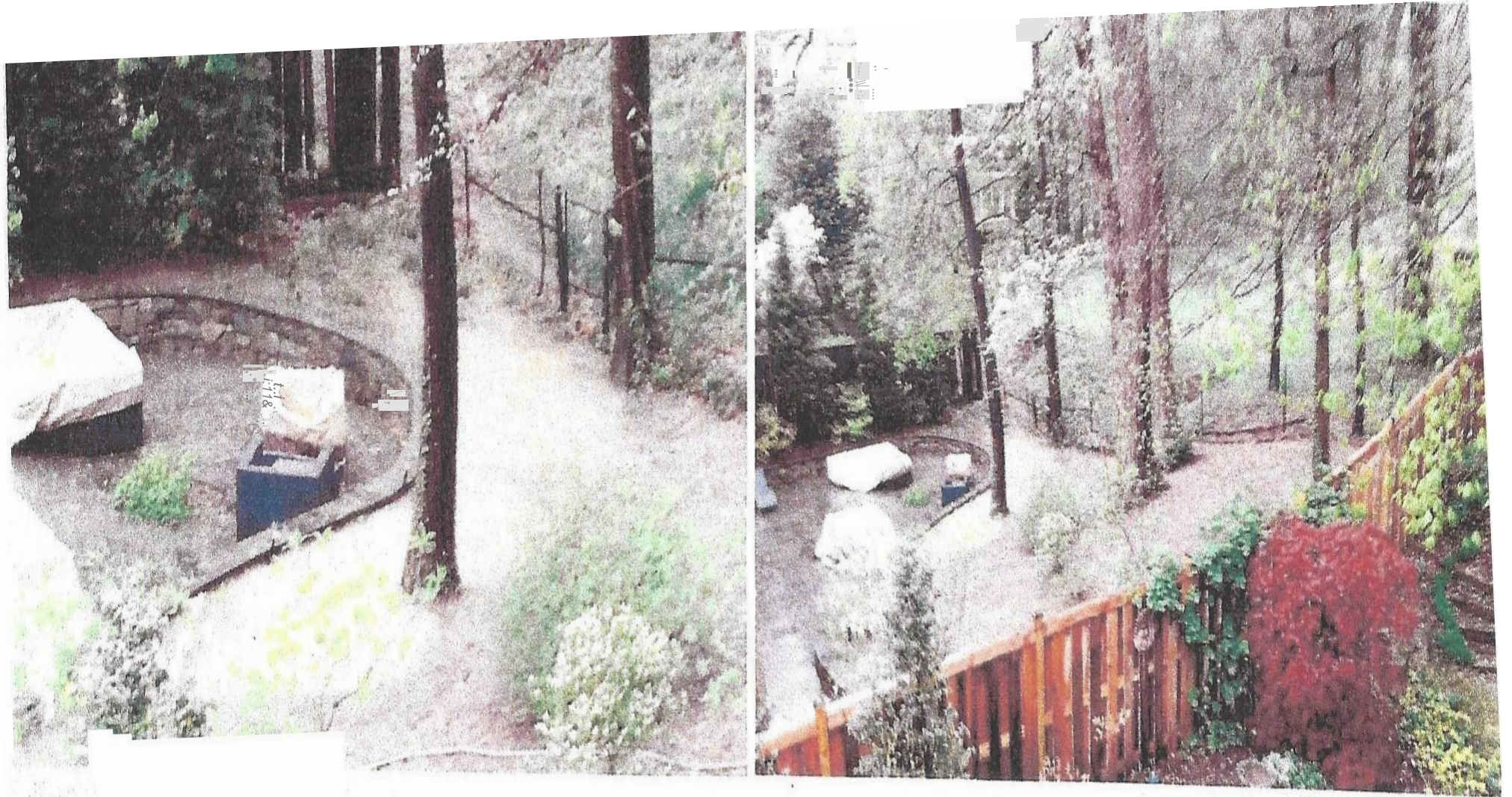
Slide 6: Penguin
Application with
Intrusion into 30'
Perimeter and
Easement



proposed architectural site plan

Slide 7: Property Slope





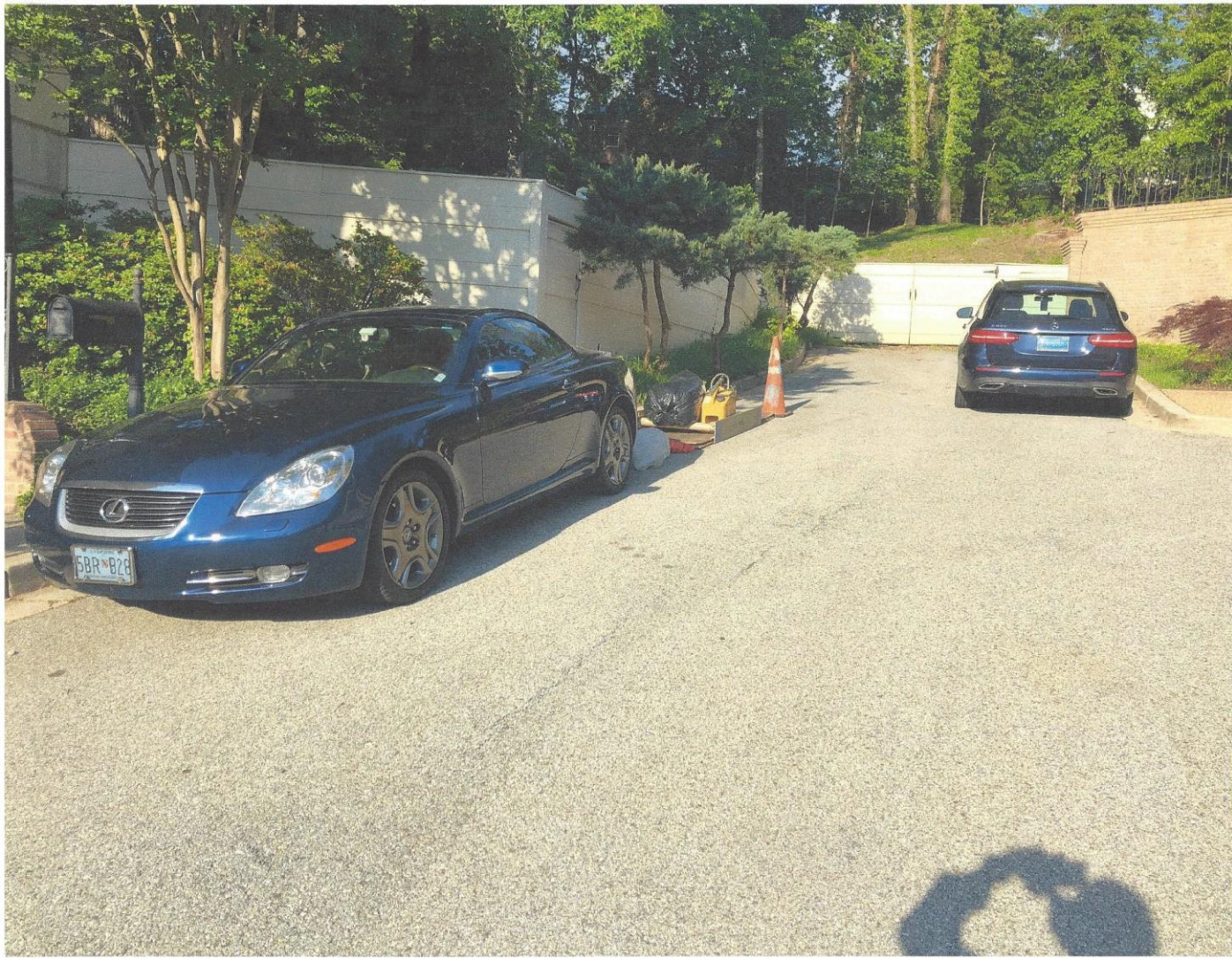
Slide 8: Property slope

Slide 9: Property
Entrance

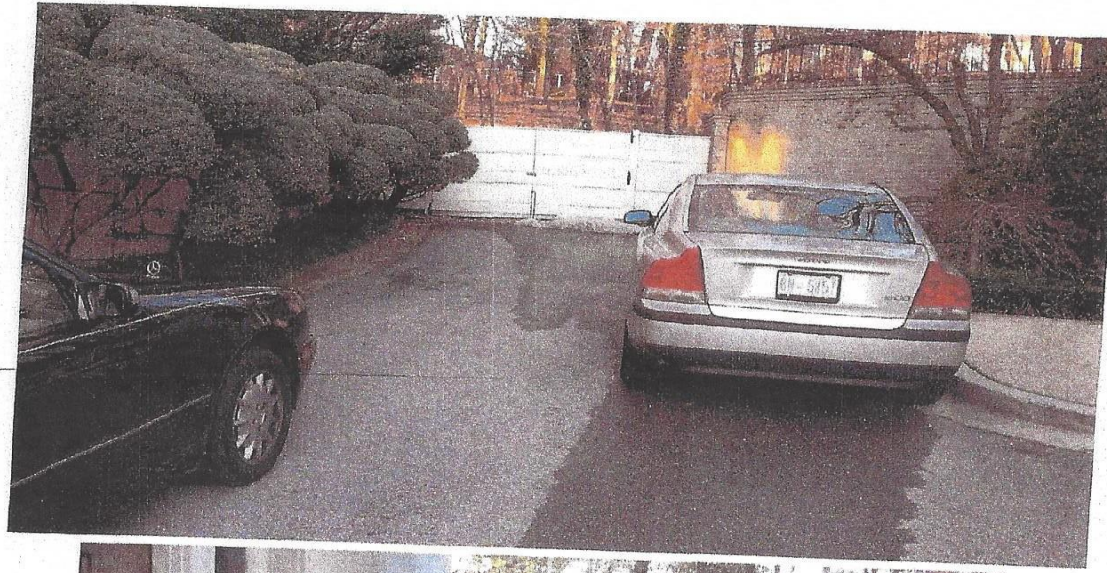


Slide 10: Property
Entrance

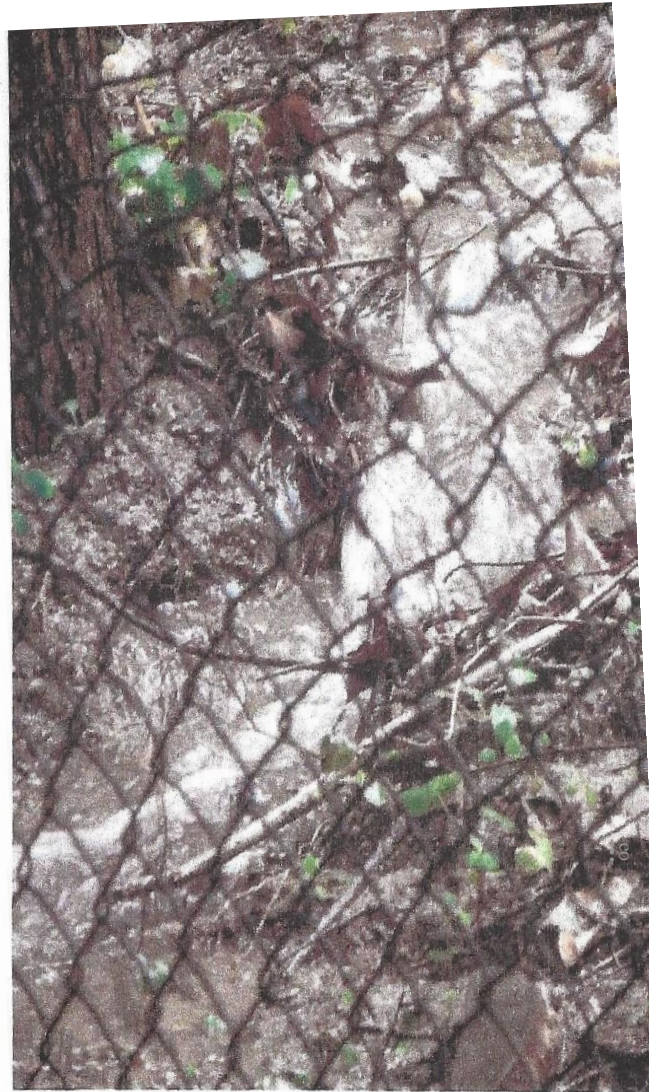




Slide 11: Property
Entrance



Slide 12:
Property Entrance



Slide 13: Storm Water flow



Slide 14: Storm Water flow

Impact of Applicant's changes

By changing from ACM footprint & location, Applicant creates a negative impact on neighboring properties and the community in general

- **Easement.** Ignoring Easement
- **Location of House.** By changing location of house, complicates parking and privacy and ACM negotiation over environment
- **Size and Scale of House.** By enlarging size of house to 167% of ACM footprint, the Application is not in harmony with the neighborhood

Impact of Applicant's changes

By changing from ACM footprint & location, Applicant creates a negative impact on neighboring properties and the community in general

- **Storm Water management.** The terrain on this lot is quite steep
- ❖ While our environmental engineer had only a brief time to review the recently filed Storm Water Management plan, there are some concerns and clarifications that are needed.
- ❖ Volumetric water retention on the lot,
- ❖ Whether water that flows off the property flows onto other's property or is channeled into the storm water system. Currently this is handled with berms that appear to be eliminated
- ❖ There has been previous flooding and we need assurance it will not reoccur.

Special Exception Criteria

11 DCMR §2516

- (a) (1) Public safety relating to **police and fire concerns**; (2) the environment, relating to **water supply, water pollution, soil erosion, and solid waste management**; (3) Public education; (4) Recreation; (5) **parking, loading, and traffic**, (6) Urban design, and (7) an appropriate, historic preservation and visual impacts on adjacent parkland.
- (b) Considerations of **site planning; the size, location**, and bearing capacity of **driveways, deliveries** to be made to the site' side and rear yards; density and open space' and the location, design, and screening of structures.
- (c) Considerations of traffic to be generated and parking spaces to be provided, and their impacts;
- (d) The impact of the proposed development on **neighboring properties**; and
- (e) The findings, considerations, and recommendations of other District government agencies.

Conclusion

The **Special Exception Criteria** relate to the site planning and impact of the proposed development on neighboring properties (among other matters) which the Applicant does not satisfy, and thus having the burden of proof, fails to qualify for an exception. Furthermore, the Application is at variance with the Covenant regarding the necessity of City approval of changes in easements and the requirements of the Large Tract Development review.

Request for Variance relies on the contention that it would not restrict parking or have a negative impact on the community and neighboring properties, which is not the case with the current Application.

If the Applicant remained with initial commitments, with adequate SWM plans and Construction Management Agreement, we could still endorse development since it would be done in character with the neighborhood, without damaging neighbors, without destroying ACM integrity (and thus reducing homeowner values), in accordance with the easements in our Covenants and bylaws, and in accordance with the Large Tract Development review.