



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

September 20, 2024

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

Re: BZA 21163 (627 A St. NE)

Dear Members of the Board,

On September 11, 2024, at a duly noticed and regularly scheduled monthly meeting with a quorum of seven out of seven commissioners and the public present via videoconference, this case came before ANC 6C. The commissioners voted 5-1 (plus one abstention) to support the application. In addition, the Commission voted 5-0 (with two abstentions) to authorize the undersigned—Chair Mark Eckenwiler, 6C04—to represent ANC 6C before the Board.

**Relief under Section 5201.4 from Lot-Coverage Limitations**

The applicant proposes to enlarge an existing one-story garage into a two-story principal dwelling unit. The garage's footprint would be expanded as well, extending the structure an additional 13' toward the main structure.

Because the resulting lot occupancy (68.4%) would exceed the matter-of-right maximum (60%), and because the enlarged accessory structure would exceed the maximum building area established at section E-5003.1, the applicant must satisfy the special exception criteria set out at section E-5201.4.

ANC 6C finds the proposal compatible with those standards:

- **Light and air.** As shown clearly in the applicant's sun studies (Exhibit 12), there would be some additional shadows cast onto 625 A and, to a lesser extent, 629 A across the alley, but nothing approaching the level of a "substantially adverse effect." § E-5201.4.

ANC 6C found the competing sun study submitted by a neighbor, Exhibit 38,<sup>1</sup> to be misleading and unpersuasive. That study ignores the existence of fences along the lot boundaries, creating the false impression that the proposed construction would have

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<sup>1</sup> Exhibit 38 was filed after ANC 6C met. However, the Commission did consider Exhibit 31, the same study as submitted earlier by a different neighbor.

much greater adverse impacts on adjacent properties' sunlight. Were those existing fences truthfully depicted, this study would be identical to the applicant's.

- **Privacy.** The “privacy of use and enjoyment of neighboring properties,” § E-5201.4(b), would not be “unduly compromised” by the proposed project. *Id.* The proposed carriage house would have no windows on its west elevation, which faces onto the garage and yard of 625 A. There would be windows on its north elevation, but all would be more than 30’ from the rear façade of 625 A. Windows on the east elevation of the carriage house would face out over the 15’ alley; they would also look out across the garage and rear yard of 629 A, areas which are currently visible from the rear of the main structure at 627 A.
- **Character, scale, and pattern.** The proposed project would not “substantially visually intrude upon the character, scale, and pattern of houses along the street and alley frontage ....” § E-5201.4(c). With the applicant’s lot more than 128’ in depth, the new accessory structure would be minimally visible from A Street. Moreover, tall carriage houses are common in the subject alley. The adjacent property at 625 A has a two-story carriage house, albeit not as tall as the proposed 21’ structure at 627 A.



**View from alley of accessory structures at 627 A (center) and 625 A (left)**  
(from Exhibit 21<sup>2</sup>)

<sup>2</sup> ANC 6C based its decision on the photographs and drawings in Exhibit 21 and not the substituted drawings in later-filed Exhibit 53. That said, nothing in Exhibit 53 contradicts or undermines the

### **Relief Allowing Enlargement of the Accessory Building for Use as a Dwelling**

The applicant's request to enlarge the existing accessory garage structure and convert it to a principal dwelling unit triggers the requirements of section U-301.1(g) ("Any proposed expansion of an accessory building for residential purposes shall be permitted only as a special exception approval pursuant to Subtitle X, and shall be evaluated against the standards of this section"). The proposal satisfies these criteria.

The standards of "this section"—*i.e.*, section U-301.1—include the following:

- "There shall be permanent access to the accessory building dwelling from a dedicated and improved right of way" (§ U-301.1(c)(3)): The alley lying to the east of the applicant's property provides such access.
- "Permanent access shall be provided by ... an improved alley no less than fifteen feet (15 ft.) in width and within a distance of three hundred (300) linear feet of a public street" (§ U-301.1(c)(4)(C)): The alley lying on the subject property's east boundary is 15' wide and connects directly to A Street NE at a distance well under 300'. *See* Exhibit 20 (annotated plat).

### **Conversion to a Three-Unit Apartment Building**

Finally, the applicant seeks authority under section U-320.2<sup>3</sup> to convert the property to a three-unit apartment building. Because the property satisfies all the criteria, including the requirement that the lot contain 900sf of land area per unit, ANC 6C supports this relief as well.

### **Neighbor Opposition**

We note that this application provoked widespread opposition, including from neighbors whose properties would suffer no adverse impacts to air, light, or privacy. Numerous opponents demanded that ANC 6C postpone its consideration of this case, arguing that they had not received the 200' letters or had received them only on/after September 5.<sup>4</sup> The Chair explained on several occasions—by email on September 4 prior to our zoning committee meeting, at the

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information presented in the earlier photos and drawings.

<sup>3</sup> Although the applicant's written submissions did not mention section U-320.2 until after the ANC met, we were nevertheless fully aware of that provision's applicability and openly discussed it with the applicant in our public meetings.

<sup>4</sup> On September 12, the 6C Chair contacted the BZA Secretary to inquire about the mailed notice. The Secretary affirmed that, as attested in Exhibit 26, the original mailing was sent out on June 27. The Secretary also advised that, as a courtesy in response to neighbor inquiries, OZ sent out a second round of PHNs in early September. Our understanding is that these were received days in advance of the ANC's September 11 meeting.

The 6C Chair has had numerous interactions with the OZ staffer who attested the original mailing and has always found him to be professional, capable, and courteous. Perhaps the US Postal Service failed the public in this instance; it is hard to believe that Mr. Reid is in any way at fault here.

meeting that evening, and at the ANC meeting on September 11—that delay was not possible because the ANC does not meet again until after the scheduled October 9 Board hearing.

Numerous neighbors spoke against the application, both at the zoning committee meeting and the ANC meeting. The Chair allowed speakers substantially leeway, imposing no time limits. After receiving this full expression of residents' views, ANC 6C found that their objections lacked merit because they raised concerns beyond the scope of the zoning regulations (such as the future location of trash cans), because the alleged harms were fanciful or implausible, or both.

ANC 6C accordingly recommends that the application be granted.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark E", followed by a stylized flourish.

Mark Eckenwiler  
Chair, ANC 6C