

ZONING COMMISSION HEARING  
CASE NO 14-11  
Testimony of Cecelia Waldeck  
On behalf of  
16<sup>th</sup> Street Neighborhood Association  
January 15, 2015

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My name is Cecelia Waldeck and I am the President of the 16<sup>th</sup> Street Neighborhood Association, a neighborhood association located in ANC04C where R-4 regulations apply. I own a row home at 4517-15<sup>th</sup> St NW (between Allison and Buchanan Streets NW), which is two lots away from a pop-up development at 1424 Buchanan St NW. This new development dwarfs the nearby row homes, invades my backyard privacy, and lowers the desirability of my home. It also creates a fire hazard in the neighborhood because it does not comply with the building codes. If this 3-unit condominium development existed at the time I decided to buy my row home, I would not have done so.

Many neighbors and I support the proposed amendments relating to residential buildings, namely lowering the matter-of-right height maximum to 36 feet, absent a special exception from the Commission, and lowering the height maximum for roof structures to 10 feet. In the last week, I obtained over 70 signatures from neighbors on a petition supporting the proposed amendments and am submitting these petitions for inclusion in the public record for this hearing. It is my impression that there is broad support for the proposed amendments relating to residential properties. If the Commission needs additional evidence of this, the 16<sup>th</sup> Street Neighborhood Association will be happy to obtain more signatures on the submitted petitions.

We would like to see these proposed amendments approved as soon as possible. Additionally, we would like to work with the Commission to develop future amendments that add two additional criteria for assessing the neighborhood impacts of a condominium development with a 40 foot height. First, the Commission should consider the impact on neighborhood parking. In ANC04C, there is already a lot of demand for on-street parking that routinely creates congested parking conditions late in the evening when everyone is home, on street cleaning days and Sundays. Demand from non-residents comes from the presence of many organizations in the neighborhood that do not have sufficient parking facilities for their employees, visitors and customers, including fourteen churches, four schools, restaurants, the Metro bus barn, and group homes. Additionally, ANC04C already has a dense population of residents due to the presence of nearby apartment buildings on 14<sup>th</sup> Street NW and single-family homes that rent out basement units or have shared roommate living situations.

Second, when granting an exception for a 40-foot high development, the Commission should consider the proposed development's compliance with building codes that relate to neighboring structures including, but not limited to, chimneys, solar panels, nearby roof load strengths, back porches and garages. Attached to my testimony is a picture of the construction site at 1424 Buchanan St NW. Originally, a single-family home nestled between two other row homes, the developer is replacing the original structure with a very large, 3-unit condominium. The developer obtained zoning and other permits from the city to build this structure even though the exterior wall of the third unit is about one foot away from a working chimney on the neighboring row home. The code requires a distance of 10

feet to protect the neighborhood from fires and other dangers. This current hazard makes me and other neighbors nervous about our personal safety and the safety of our homes.

Several neighbors and I spent much time engaged with the Department of Consumer and Regulatory Affairs (DCRA) over code violations at the 1424 Buchanan St. NW site. What I learned was that DCRA routinely issues building permits for condominium developments, without first obtaining information about the structures on nearby lots. There are at least three such developments in the city subject to stop work orders because the upper level floor of the development is too close to a neighboring chimney. DCRA appears reluctant to resolve these situations because it has already issued the building permits. We do not know the specific reasons for this weak enforcement of important building codes. Perhaps, it is due to insufficient staffing at DCRA, incompetence or the conflict of interest problem that can arise when developers use a privately-hired building inspector, rather than a DCRA employee, to certify that the development satisfies code requirements. If the Zoning Commission can take any actions to strengthen the enforcement of building codes, you would have the support of the 16<sup>th</sup> Street Neighborhood Association and the support of developers who find themselves subject to stop work orders after expending considerable time and money. The current under-enforcement of building codes benefits no one.

I really appreciate the opportunity to be heard at this public hearing and the good work of the members of the Zoning Commission on the issues facing 4-R neighborhoods. I also request that you include in the public record my statement and the signed petitions supporting the proposed amendments relating to R-4 residential buildings.



Back view of 1424 Buchanan St. NW construction site

**PETITION SUPPORTING PROPOSED CHANGES TO ZONING REGULATIONS FOR  
R-4 NEIGHBORHOODS - ZONING COMMISSION CASE NO. 14-11**

We, the undersigned, reside in homes subject to R-4 zoning regulations in Ward 4 and support the proposed zoning regulation changes described in Case No. 14-11. Specifically, we support the regulation changes that have the following impacts:

- Require developers to obtain a special exception from the Zoning Commission to construct upper additions that extend the maximum building height to 40 feet. We understand that this proposed change will generally prevent the conversion of single family homes to three or more unit condominiums without first obtaining approval by the Zoning Commission
- To obtain a special exception from the Zoning Commission to build up to 40 feet, the developer must show that:
  - 1) The planned development will not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent property, in particular:
    - the light and air available to neighboring properties shall not be unduly affected,
    - the privacy of use and enjoyment of neighboring properties shall not be unduly compromised; and
    - the resulting building or structure height, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage.
  - 2) The planned development will not have a substantially adverse effect on the defining architectural features of the building or result in the removal of such features
- Restrict the maximum height of roof deck structures (e.g., stairways, elevators, and housing for mechanical equipment) on row homes and one-family detached homes to 10 feet in height above the roof. We understand that currently the height restriction is 18-1/2 feet above the roof.

NAME	ADDRESS	TELEPHONE/EMAIL
CERELIA Waldeck	4517-15 <sup>th</sup> St NW	202-726-1187
Elizabeth B. B. B.	4515 15 <sup>th</sup> St NW	702-3329775
Emily B. B. B.	4717 2nd St NW	202-726-3323
Thaddeus Floyd	1456 Buchanan St NW	(609) 899-7091
SANDRA L. SESNE	1422 BUCHANAN ST. NW	(202) 726-4842
SUZANNE E. C. K.	1400 BUCHANAN ST NW	202-332-4155
JOYNE K	SAME AS ABOVE	SAME
Greg Phillips	1416 Buchanan St NW	202-465-1652
Julia Fernandez	1416 Buchanan St NW	202-487-3815
Patricia M. M.	1416 Buchanan St NW	202-726-1811
Patricia M. M.	1416 Buchanan St NW	202-316-3321
Patricia M. M.	1416 Buchanan St NW	202-588-1681
Patricia M. M.	1416 Buchanan St NW	202-560-9550
Patricia M. M.	1416 Buchanan St NW	202-560-5572

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NAME	ADDRESS	TELEPHONE/EMAIL
<u>Ann Madigan</u>	<u>4523 15<sup>th</sup> St NW</u>	<u>202-549-6099</u>
<u>Fatima Z. Helli</u>	<u>4517 15<sup>th</sup> St NW</u>	<u>202-549-6099</u>
<u>Julie Andringa</u>	<u>1403 Webster NW</u>	<u>202-829-0796</u>
<u>George Tracy</u>	<u>1403 Webster NW</u>	<u>202-829-0796</u>
<u>Susan Bruninga</u>	<u>1410 Webster St NW</u>	<u>202-291-3042</u>
<u>Janet Bowen</u>	<u>1420 Webster St NW</u>	<u>202-285-1727</u>
<u>Barner</u>	<u>1422 Webster NW</u>	<u>—</u>
<u>Joel W.</u>	<u>1421 Webster St NW</u>	<u>—</u>
<u>Barbara Humphrey</u>	<u>1405 Webster St NW</u>	<u>202-291-7199</u>
<u>Edwards Household</u>	<u>1505 Buchanan St. NW</u>	<u>—</u>
<u>Todd R. Hopper</u>	<u>1505 Buchanan St. NW</u>	<u>202-569-9641</u>
<u>MIKE LEAKE</u>	<u>1507 BUCHANAN ST NW</u>	<u>2/8/82-0408</u>
<u>Cassandra Jester</u>	<u>1505 Buchanan St. NW</u>	<u>202-531-9416</u>
<u>Lara Quiñt</u>	<u>1517 BUCHANAN ST NW</u>	<u>202-247-1520</u>

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NAME	ADDRESS	TELEPHONE/EMAIL
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John Reave	1514 Buchanan St NW	202 465-1825
Joe Beensterboer	1518 Buchanan St, NW	<del>202</del> 708-372-4218
Chris Rankin	1520 Buchanan St, NW	202-422-5430
Cheryl Cooper	1527 Buchanan St NW	202-344-9710
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Lauren Edwards	4516 15th St NW	202.431.7345
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JASON ANDREW ABELL	4508 15th St NW	202-445-0134

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Harvey Grossinger	4509 15th St NW	202 540 8096
Beverly A. Manley	4515 15th NW	202-723-8927
Gerardol Spriggs	5322 Colorado NW	202-726-6648
Lenore Sek	5322 Colorado Ave NW	202-726-0648
Patrick Greene	1522 Vainum St NW	202-641-8082
Mark Dugan	1419 Crittendon St NW	202-882-4597
David M. Hollis	1419 Crittendon St NW	202-882-4597
Calvin Manna	3804 Kansas Ave. NW	573-819-5833
Cris Manna	3804 Kansas Ave. NW	201-906-9994
Russ Buckenridge	3802 Kansas Ave NW	202-450-7774
Julie Perkins	4521 15th St NW	202-443-4453
Algunetta Anderson	7247 18th Pl NW	202-642-6151

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