

Cochran, Patricia (DCOZ)

From: Jean Smith <jeansmithre@gmail.com>
Sent: Saturday, July 21, 2018 4:08 PM
To: DCOZ - BZA Submissions (DCOZ)
Subject: Case # 19521A

Letter in opposition to [3520 S Street NW](#)
Re: Case # 19521A

The applicant has not justified the requirement for an area variance and the building is taller than is permitted by DC Regulation.

This application is for an area variance, which is justified solely as a result of the "attributes" of the specific piece of property. That is the only basis for an area variance. The applicant does not present any argument as to how the property itself justifies a variance as is required by Subtitle X. In fact, attributes of the property do not cause the specified "exceptional practical difficulties". His desire to build a higher structure than is permitted is his justification for the variance. His expenses should not be considered for this variance.

This particular application should be denied because the garage is 16.5 feet from the measurement point specified in the Regulations (D5002.1) as the "finished grade at the middle of the side of the accessory building that faces the main building...". In the R20 zone, the maximum height is 15'. In the attempt to get around the R-20 zoning regulations, this sunken structure will be inappropriate and unsightly. It will be 18" below alley and back yard grade. That could be a safety issue. It will look massive and equally dissimilar to all other structures in the alleys of Burleith. This structure is about 70% of the square footage of the main structure.

D-1200.2 "The R-20 zone is intended to retain and reinforce the unique mix of housing types including detached, semi-detached and attached dwellings and permit attached row houses on small lots." Nothing is in this standard to support an ADU or 2nd dwelling unit in the R-20 zone.

The R 20 zone is zoned low density. That means it is a single family zone. An ADU within the single family home is one thing but a separate dwelling structure is totally different. It should not be permitted in the R 20 zone. The "garage" ADU does not meet the U-253.10(c) criteria that..."the intent of this section to maintain a single household residential appearance and character in the R zones."

The mere size of 15' structure which is much larger than the average 10' garage in our alleys changes the look of the alleys completely. It is intrusive. Houses that have additions to the rear usually have the view and living area in the rear of the house. The 2nd floor windows of these ADU's will look onto and into both the back yards and the back of the houses. It is a clear and unnecessary invasion of privacy.

Below is a picture of what a 15' high "garage" looks like compared to the garages throughout Burleith. This is an example of an illegal garage/adu with a stop work order in place as seen from my deck.

Board of Zoning Adjustment
District of Columbia
CASE NO. 19521A
EXHIBIT NO. 52

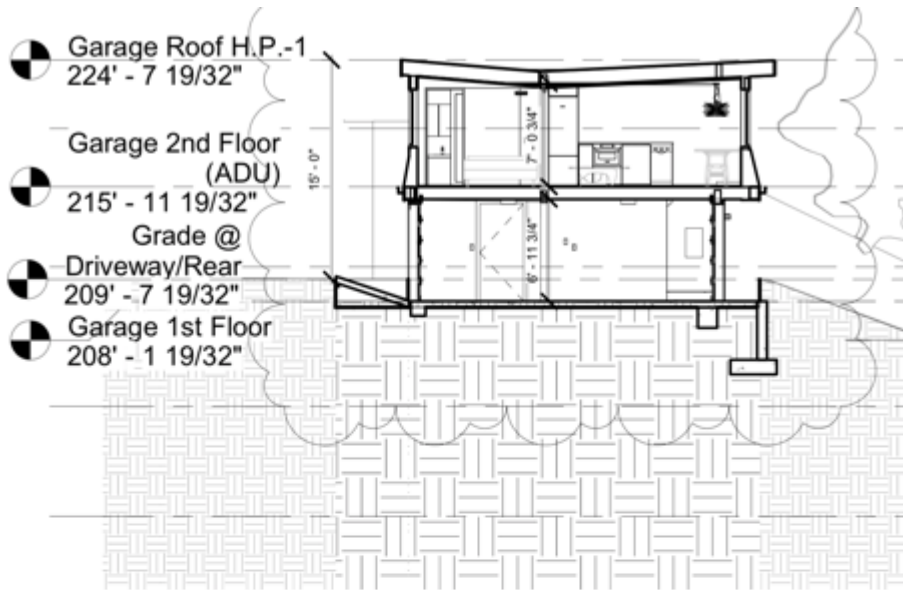
over 35 years and find this type of development to be inconsistent with the style and character of Burleith as it was designed in the 1930's.

Because this application is for a building higher than permitted and because it has not met the burden of proof for an area variance, this application should be denied.

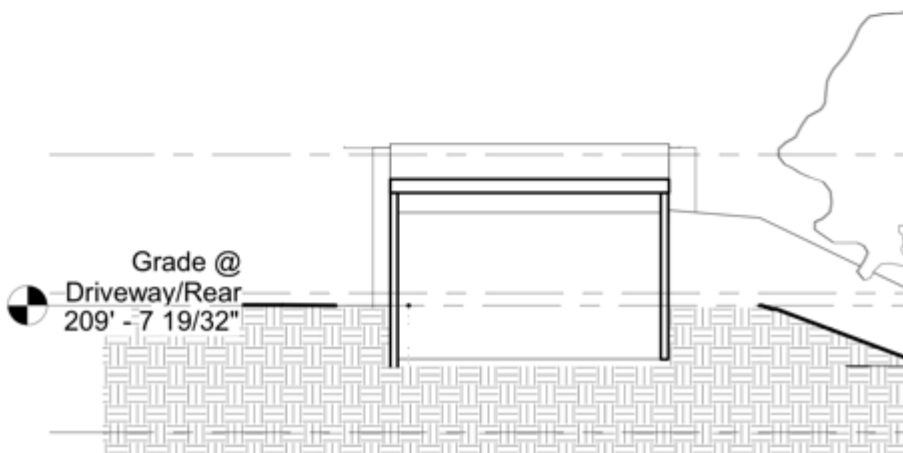
Jean Smith
Whitehaven Pkwy Burleith



This is the proposed sunken structure. It is set 1.5 feet (18“) below alley and yard grade.



01 PROPOSED-SECTION
 SCALE 3/32" = 1'-0"



From Jean Smith