



**BEFORE THE ZONING COMMISSION AND
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA**



FORM 129 – ADVISORY NEIGHBORHOOD COMMISSION (ANC) REPORT

Before completing this form, please review the instructions on the reverse side.

Pursuant to §§ 3012.5 and 3115.1 of Title 11 DCMR Zoning Regulations, the written report of the Advisory Neighborhood Commission (ANC) shall contain the following information:

IDENTIFICATION OF APPEAL, PETITION, OR APPLICATION:

Case No.:	19629	Case Name:	Application of Timothy and Charlotte Lawrence
Address or Square/Lot(s) of Property:	1665 Harvard Street NW		
Relief Requested:	Special exceptions and variances		

ANC MEETING INFORMATION

Date of ANC Public Meeting:	2	4	/	11	10	/	1	7	Was proper notice given?:	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Description of how notice was given:	Posters, four in each SMD; postings on two neighborhood internet bulletin boards, notice on ANC1D website												
Number of members that constitutes a quorum:	3			Number of members present at the meeting:	5								

MATERIAL SUBSTANCE

The issues and concerns of the ANC about the appeal, petition, or application as related to the standards of the Zoning Regulations against which the appeal, petition, or application must be judged (*a separate sheet of paper may be used*):

Please see the ANC resolution text, attached.

The recommendation, if any, of the ANC as to the disposition of the appeal, petition, or application (*a separate sheet of paper may be used*):


ANC1D advises the Board of Zoning Adjustment to deny the special exceptions and variances.

AUTHORIZATION

ANC	1	D	Recorded vote on the motion to adopt the report (i.e. 4-1-1):	5-0-0
Name of the person authorized by the ANC to present the report:				
Name of the Chairperson or Vice-Chairperson authorized to sign the report:			Yasmin Romero-Latin	
Signature of Chairperson/ Vice-Chairperson:			Date:	10/24/2017

ANY APPLICATION THAT IS FOUND TO BE INCOMPLETE MAY NOT BE ACCORDED "GREAT WEIGHT" PURSUANT TO 11 DCMR §§ 3012 AND 3115.

Board of Zoning Adjustment
Case No. 19629
EXHIBIT NO. 45

<p>1D01: Jon Stewart Vice Chairperson jonstewart.anc1d01@gmail.com</p>	<p style="text-align: center;">Mount Pleasant Advisory Neighborhood Commission</p>  <p style="text-align: center;">1380 Monroe St NW, #117 Washington DC 20010</p>	<p>1D04: Yasmin Romero-Latin Chairperson yasminkikiANC1D04@yahoo.com</p>
<p>1D02: Paul Karrer paulanc1d@gmail.com</p>		<p>1D05: Stuart Karaffa Treasurer stuart.k.anc@gmail.com</p>
<p>1D03: Jack McKay Secretary jack.mckay@verizon.net</p>		<p>Website: anc1d.org e-mail: anc1d@googlegroups.com</p>

Special Exception and Variances for 1665 Harvard St

Resolved, that ANC1D advises the Board of Zoning Adjustment to deny the Special Exceptions and variances requested for 1665 Harvard St NW, Case 19629.

Why: This Commission respects the value of alley apartment dwellings, and has no intrinsic objection to them. However, this particular application entails three exceptional conditions:

- (1) The lot area available for the structure is very small, so small that three Special Exceptions are needed to permit a structure of practical size;
- (2) The lot is at the top of a steep slope, causing even a 20-foot-tall structure to be taller than the adjacent row of row houses; and
- (3) The location is not at the alley end of a lot owned by the applicant, but is at the rear of a neighbor's lot, 1701 Harvard Street.

These Special Exceptions may be granted only if each "will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps". In this case, the "neighboring property" is the immediately adjacent row house, where one would ordinarily find the owner of the alley apartment, but here one finds a neighbor with no interest in this alley apartment. Because of the small dimensions of the lot, the proximate wall of this alley apartment will be only 20 feet from the neighbor's windows. Because of the steep slope, the proximate wall of this alley apartment will lie at the level of the third-floor windows of the row house and rival the massing of 1701 Harvard from the north elevation.

It is evident, from the opinions expressed by the occupants of 1701 Harvard, that this will be a substantial imposition on their quality of life, because it will be so close to their rear wall, and because it will tower over their back yard, and their house. This is not what the Zoning Commission had in mind when it relaxed the zoning regulations to permit alley dwellings, and the extraordinary nature of this odd-shaped lot makes it a special case. If the alley apartment was being built directly behind the applicant's row house, this situation would be very different. But the "neighboring property" in this case is where one would ordinarily find the principal dwelling of the lot, owned by the applicant, who might be willing to tolerate these consequences. But here the immediately adjacent structure is owned by a neighbor, and they have made their unhappiness with this proposal very clear.

This Commission observes, therefore, that the granting of these Special Exceptions will in fact cause significant degradation of the use of the neighboring property, in this case, 1701 Harvard Street, and so should be denied.

Passed by 5 to 0 vote at the legally noticed, public meeting of ANC1D on October 24, 2017, with a quorum present. Voting "yes": Commissioners Stewart, Romero-Latin, Karrer, Karaffa, McKay. A quorum for this commission is three; five commissioners were present.