



Advisory Neighborhood Commission (ANC-5C07)

Single Member District Meeting

March 14, 2019

Notice of Adverse Decision

Location

Langdon Community Center
2901 20th Street NE
Washington, DC 20018

In the matter of **BZA Application 19967**, where the applicant, District Properties is seeking an area and side yard variance for the property named by applicant as 2429 Girard Place NE, 20018, but recorded by DC Office of Tax and Revenue (OTR) as PAR-0155-0009. The applicant seeks to build a two-story single-family residence, with basement having a footprint of 19 feet width, by 40-foot length. The parcel sits in the former Subdivision of East Langdon (Langdon), part of Greater Woodridge. The following report occurs as a matter of record.

After hearing the presentation, and a considerable discussion, the assembled held on the matter. The applicant departed. Commissioner Montague, conducting the meeting, asked for those in favor of the application to indicate so. There was none in favor, expressed by silence. The commissioner then asked for those opposed to the application to indicate so. Hands rose of all assembled, with one choosing to stand, hand raised in her opposition, unanimously voted to oppose the application.

The commissioner stated that he would prepare a report of the decision for the full-commission ANC-5C, and the zoning commission of the Adverse Decision by the SMD.

The Recommendation

Having decided unanimously in the negative, it is hereby the recommendation of ANC-5C07, in the matter of BZA Application 19967, 2429 Girard Place NE, 20018, denial and rejection. The vote occurred on March 13, 2019 at 7:50 pm.

Respectfully submitted,

Jeremiah Montague, Jr.
Commissioner ANC-5C07
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The proceeding

On March 13, 2019, at a duly called and properly noticed meeting held at the Langdon Community Center, before assembled constituents of ANC-5C07, Mr. Oumar Seck (Oumar@district-properties.com, 301-257-7460), representing District Properties, presented his case. He fielded questions from the assembled and responded.

During the discussions, Mr. Seck did not characterize proposed request as the result of a particular difficulty or arising from hardship. He mentioned that the lot measured 25 feet in width by 140 feet or so in length (150 feet per drawing). He noted that he could not meet the 8 foot side yard requirement given his structure would be 19 feet in width. He used the meeting room, which had 1-foot square floor tiles to give attendees a visual feel of the 19 foot width of his planned building. He further noted that there were similar buildings along the street having reduced separation already in existence on Girard Place NE. Lastly, Mr. Seck asserted that while notice of such projects to nearby residents would be a matter of conducted after permitting, he was sure that those nearest had been sent notice of the zoning application. During the discussion Mr. Seck, stated, "Business is business".

The commissioner posed two questions to Mr. Seck. The first, what is the compelling reason for making this development? The second, what happens if the variances are not approved?

The response to the first was. "It is an infill lot consistent with development performed by his company elsewhere".

The response to the second was. "I have no idea, we will have to review and determine next steps"

Having no further discussions or inquiries from the assembled, he departed.

Afterward, attendees noted that, as required, not all property owners living within 200 feet of the proposed development received notice from the applicant, two of these are at the south end of Belair Place NE, and two are at the intersection of 25th Street NE and Girard Place. Further, those present believe this improper, and felt this disrespectful on the part of the developer.

Further the assembled held that The ANC-5C07 holds that granting the request will cause substantial detriment to the public good. There was substantial concern regarding the close proximity of the new structure to existing structures on either side. A point was made that this new structure would violate rules for current standards for NFP Fire Protection egress and unnecessarily. Thus, this proposal stands to comprise substantially, adjacent property and public safety if allowed. The applicant's comparison of the proposed to the existing structures for separation was nonsense. Since the most nearby houses on the same side of the street, date to 1905, the SMD holds that the proposed structure is substantially inconsistent with the general intent and purpose of the Zoning Regulations. In those cases, the separation has most residing over two parcels resulting of subdivision and surveys occurring between 1905, 1923, and 1946. The recently improved adjacent property to the

east maintains the 1905 footprint, form, and unaltered property lines. Structures constructed since 2016 comply with the zoning regulations in place at the time.

The proposed does not comply with the 8-foot side clearance, and reducing the structure to conform will result in an impractical, inhospitable residence if allowed. The near proximity would compromise privacy, and create an awkwardly situated structure inconsistent with those along the street. Constituents expressed concerns regarding construction, wildlife displacement, probable damage to adjacent structures, water diversion, and noise, as additional reasons for denying the undertaking.