

May 29, 2020

Via IZIS

Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210S
Washington, DC 20001

Re: Updated Materials- BZA Case No. 20290 - 421 T Street, NW

Dear Members of the Board:

The Applicant has revised the application and plans as described herein:

1. Height Relief and Revised Self-Certification- The Applicant originally requested variance relief for the height of the proposed addition. However, the architect measured the existing building height and proposed addition using the measurement rule for a flat roof, even though the proposed and existing roofs are sloped. The rule for a flat roof measures to highest point of the roof. Based on that measurement, the Addition was incorrectly measured at over 40 feet of building height, requiring a variance.

As the existing roof and roof of the proposed addition are sloped, the measurement for a flat roof does not apply. Pursuant to B § 308.4, a building that does not have a flat roof is measured from the BHMP to the average level between the highest eave, not including the eave of a dormer, and the highest point of the roof. Using that measurement rule, the existing height of the building is thirty-nine feet and seven and a half inches (39 ft. 7.5 in.) and the proposed addition is thirty-seven feet and two and one-quarter inches (37 ft. 2 ¼ in.).

Pursuant to E § 303.3, “a building or other structure may be erected to a height not exceeding forty feet (40 ft.) if approved by the Board of Zoning Adjustment as a special exception under Subtitle X, Chapter 9, subject to Subtitle E § 5203.” Accordingly, the Applicant

no longer requires variance relief for the height of the proposed addition and is instead requesting special exception relief pursuant to E § 303.3, subject to the requirements of E § 5203. The request meets the special exception criteria of 5203.1 as follows:

(a) The building is not on an alley lot;

The building is not on an alley lot.

(b) Any addition, including a roof structure or penthouse, shall not block or impede the functioning of a chimney or other external vent on an adjacent property required by any municipal code;

The Addition, including roof structures and penthouses, will not block or impede the function of a chimney or other external vent on the adjacent properties.

(c) Any addition, including a roof structure or penthouse, shall not interfere with the operation of an existing or permitted solar energy system on an adjacent property, as evidenced through a shadow, shade, or other reputable study acceptable to the Zoning Administrator;

To the Applicant's knowledge, there are no existing solar energy systems on the adjacent properties.

(d) A roof top architectural element original to the house such as a turret, tower, or dormers shall not be removed or significantly altered, including changing its shape or increasing its height, elevation, or size;

The Applicant is not proposing to alter any architectural elements original to the Building.

**(e) Any addition shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:
(1) The light and air available to neighboring properties shall not be unduly affected;**

As demonstrated by the shadow studies included with this submission, and described more thoroughly herein, the difference in impact to light and air between a matter-of-right addition (35 ft.) and the proposed addition (37 ft. 2 ¼ in.) is minimal and does not result in a

substantial adverse effect on the use or enjoyment of abutting properties. Moreover, the Addition is significantly separated from the adjacent buildings. It will abut an alley to the east and the rear of the building to the west.

(2) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised; and

The privacy of use and enjoyment of neighboring properties shall not be unduly compromised. The proposed west-facing windows will face the rear of the building on 1911 5th Street. The Addition will also be separated by approximately thirty-five feet (35 ft.) from the rear of 1911 5th Street. The proposed east-facing windows on the Addition will abut an alley, not the adjacent building. On the existing east façade, the Applicant is proposing to add a couple windows on the cellar level but will eliminate windows on the first and second levels.

(3) The conversion and any associated additions, 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 or alley; and

The conversion and the associated Addition, as viewed from the street, shall not substantially visually intrude upon the character, scale, and pattern of houses along the T Street. The current design reflects HPO comments which require the Applicant to maintain the Building's front facade. The Addition is at the rear of the building and will not be highly visible from T Street, NW. Regardless, the design is subject to HPRB approval and the Applicant will comply with HPRB requests.

(f) In demonstrating compliance with Subtitle E § 5203.1(e) the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the conversion and any associated addition to adjacent buildings and views from public ways.

The Applicant has submitted plans, photographs, elevations, and section drawings sufficient to represent the relationship of the proposed Addition to the neighboring properties and the public ways.

2. Bedroom Sizes and Inclusionary Zoning Units- In response to comments from the ZPD and the LeDroit Park Civic Association, the Applicant adjusted the size and location of the IZ units. Unit 2, which is partially in the cellar, is no longer a designated IZ unit. Instead, the Applicant added a third bedroom to Unit 10, and it is now an IZ unit. The Applicant also added a second bedroom to Unit 5, which was already designated as an IZ unit. Now, the mix of IZ units includes two 1-BR units, one 2-BR unit, and one 3-BR unit.

3. Shadow Study- The shadow study shows the difference between the proposed addition with a building height of thirty seven feet and two and one quarter inches (37 ft. and 2 ¼ in.) and an addition with a matter-of-right height of thirty-five feet (35 ft.). As demonstrated by the shadow study, the difference in shadow between a matter-of-right addition and the proposed is minimal. There is no difference in shadow in the winter months. In the spring, summer, and fall, during the morning and early afternoon, the small amount of additional shadow is primarily limited to the subject property and the adjacent alley. Accordingly, the difference in shadow between the proposed addition and matter-of-right addition does not create an undue impact to the neighboring properties, nor does it rise to the level of a substantially adverse effect on the use and enjoyment of neighboring properties.

Respectfully Submitted,

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