

**TO:** Corey Holman, Chair, Planning and Zoning Committee ([6b06@anc.dc.gov](mailto:6b06@anc.dc.gov))  
Ken Jarboe, 6B05 community representative to the P&Z Committee ([Kpiarboe@gmail.com](mailto:Kpiarboe@gmail.com));

**FROM:** James Sherry and Elizabeth Kidder, owners at 234 10<sup>th</sup> St SE, Washington, DC 20003

**COPY:** Steve Holtzman, ANC 6B Commissioner ([6b05@anc.dc.gov](mailto:6b05@anc.dc.gov)); and  
ANC Office ([6b@anc.dc.gov](mailto:6b@anc.dc.gov)).

**SUBJECT:** Zoning exceptions sought by the owners of 232 10th St. SE (**Case 20467**).

**DATE: July 6, 2021**

**Dear Corey and Ken:**

We are writing regarding the zoning exceptions being sought by the owners of the property at 232 10th St. SE (Case **20467**). As the owners of the abutting property at 234 10<sup>th</sup> St SE, with a shared party wall, we are uniquely impacted by this proposed addition.

While no one wants to endure the inconvenience of a prolonged and significant ‘next door’ construction project – least of all one that blocks their view and has created divisions within their neighborhood – we are generally supportive of efforts to renovate this property. We appreciate our neighbors desire to optimize living space, increase housing density and income potential. We are aware that improvements are needed to:

- enable continued rental and or personal use of the main residence,
- bring the basement rental apartment space into compliance with Certificate of Occupancy building code requirements, and to
- address significant structural safety and pest control improvements in the (non-attached) garage.

As abutting neighbors, we have the most to benefit from a well-designed and executed renovation plan. We previously wrote to you (May 28, 2021) voicing our strong opposition to the renovation plan proposed at that time and the oversized building that would have resulted from it. There have since been several discussions with and among neighbors and revisions in the proposed plan. We commend the owners of 232 for taking a collaborative approach with their near neighbors on this submission.

Consequently, we have revised our position to be supportive of our neighbors’ June 30, 2021 proposed plan noting several specific concerns/caveats.

1. Our **overarching concern** has been that a proposed renovations should fit in the space available to it within a row of townhouses in a historical neighborhood. Further, that before approving an exception to enable a setback of one home that we should anticipate – ideally within the zoning ordinances – what ‘setback remedies’ would be available to neighboring

homes so that no one will be left in a 'canyon' behind the leading edge – or 'common line' – with their immediate rowhouse neighbors.

The immediate 'near neighbors' to the proposed renovation **(230, 232, 234, 236 and 238)** have sought to be proactive in this regard in considering key points that we could potentially agree on that would make the renovation process more predictable and less divisive than it has become. Though we have not achieved an 'enthusiastic agreement' across our respective households, we have achieved some degree of comfort/acquiescence with four general principles we could each apply to our specific circumstances, including:

- A. In solidarity with the broader alley community, we agree to forgo any renovation that includes a third floor.*
  - B. In solidarity with the five contiguous houses (230, 232, 234, 236, 238), we agree to forgo any extension of the eastern facing walls of our homes **above the fence line** more than a 'common line' placed ten feet beyond the current eastern walls of 232, 234, 236, 238.*
  - C. We defer to contiguous neighbors on any further extension of the eastern facing walls of our homes **below the fence line**.*
  - D. We agree not to seek exceptions for lot coverage beyond 69.9%, except in the case of 238 where such an exception may be required to enable the owners to both retain their historic and/or architecturally significant garage and extend their eastern wall to the 'common line' described in #2 above.*
  - E. We agree to register our support (or our 'no objection') to renovation proposals that reflect these general principles.*
2. We are sympathetic to the concerns expressed by and on behalf of our neighbors in 228 who will lose significant direct sunlight in their south facing windows facing the (transverse) alley if this renovation proceeds.
  3. We have several more detailed concerns that we hope will be satisfactorily addressed prior to the initiation of construction in a construction agreement with the immediate adjoining properties including:

**First, plans, incentives and sanctions for timely completion?** We anticipate explicit parameters ( e.g. construction hours; considerate contractor parking and delivery; noise abatement; and rodent/pest control) will be spelled out..

**Second, where will the 'mechanicals' be placed?** The proposed roof design does not appear to provide for a location other than in the (now much smaller) backyard for the external components of (two separate?) air conditioning system(s).

**Third, where will the water go – and how?** There is more roof space, less percolating ground space, and no explicit plans shared for handling more water. We have noted the trough created on the roof with the original roof sloping to the east and the extended second story addition extending full width to the party walls without drainage provisions independent on an unclogged drain.

**Fourth, how will our existing venting and future maintenance on our north-facing wall be accomplished?** We recall that enclosed back porches are generally less than the width of the property to make room between adjoining houses (the 'dog leg') for repairs, upgrades, etc and we note that the current proposed plan would narrow this space to a point that repairs or changes to our north-facing wall would not be serviceable.

4. What might the future implications of a further four- foot 'below the fence line' horizontal extension be?

Would approval establish precedent and enable other properties to extend to the same line for basement additions? Would approval establish a new point beyond which a 10-foot multi-level extension by a neighbor would be allowed? **We suggest that more explicit clarifications from the zoning board are required.**

Finally, we would be remiss to not to note our gratitude for the tireless and even-handed work of our ANC Representative Stephen Holtzman to anticipate and (at least partially) mitigate our frustrations with a process that seemed at times designed to sow division and thwart common interests among neighbors as they sought to pursue a common objective that proposed renovations did not adversely affect our socially thriving neighborhood. Clearer and more 'citizen accessible' regulations and interpretation, more timely information, and clearer process would go a long way to help in what are intrinsically frictional undertakings that need not be fractional as well.

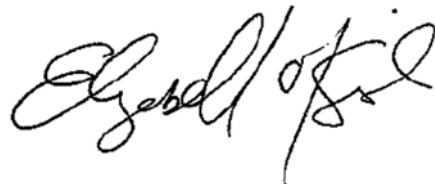
Ours is a uniquely 'connected' block – socially and physically – in large part due to the unique spacious alley where neighbors gather, kids play, and seasonal festivities take place. The neighbors care deeply about preserving the look, safety, and functionality of our alley which is dependent in part on the horizontal and vertical architectural lines we share. When gathering, we can each see our homes and enjoy the historic rooflines. And for those of us living on the alley, we value the view of our alley from our back porches – where we look for friends gathering and can watch our children play. We have included several pictures below of our "alley gatherings" and of our view of the alley from our back deck, which will be significantly affected if renovations and their downstream consequences are not thought through in advance by our planning and zoning processes.

Our 200 block of 10th and 11th streets has so far had several properties undergo renovations that have improved the value and living space of the property – mostly without undermining the historic look and roofline of our neighborhood from either the street or alley views. We hope that more of our neighbors will have the opportunity to make further improvements which hone the architectural lines of their individual homes to local plans, standards and norms which are protected and promoted by the ANC and within our local zoning regulations.

Sincerely,



James Sherry



Elizabeth Kidder

Owner, 234 10<sup>th</sup> St SE

Owner, 234 10<sup>th</sup> St SE



**View of the back of 236, 234, and 232 showing current outdoor living space.**



**Our view over the back deck at 234 10th Street of the alley and roofline from the house**



Our outdoor “alley-view” living space is very valuable to us – both socially with our family and friends as a valuable asset to our home. We would lose this “open view” entertaining and living space. The shaded parts of the photograph illustrate where the view would be replaced by a wall.



**Sun and shade studies are just one part of the story. Maintaining rooflines, porch views, streetlight and sky views on the alley are important in this historic district -- day and night.**



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