



Advisory Neighborhood Commission 1C

PO Box 21009, NW, Washington, DC 20009

www.anc1c.org

Representing Adams Morgan

Commissioners:

Amir Irani (1C01)

Hector Huevo (1C02)

Ted Guthrie (1C03)

A. Tianna Scozzaro (1C04)

Vacant (1C05)

Vacant (1C06)

Wilson Reynolds (1C07)

Amanda Fox Perry (1C08)

December 24, 2018

Fred Hill, Chairman
Board of Zoning Adjustment
441 4th Street, N.W., Suite 200-S
Washington, D.C. 20001

RE: 2920 18th Street NW – BZA Appeal

Dear Chairman Hill:

At a duly-noticed public meeting held on, December 5, 2018, with a quorum present, Advisory Neighborhood Commission 1C (ANC 1C) passed a resolution involving 1630-32-34 Argonne NW by a vote of 5-0-0.

ANC 1C respectfully submits the attached resolution authorizing ANC 1C to file a BZA appeal for the permits issued on these properties.

Sincerely,

-Ted Guthrie-

Ted Guthrie
Secretary, ANC1C

ANC1C Resolution - 2920 18th Street NW
December 5, 2018

Whereas, neighbors in Lanier Heights successfully down-zoned multiple squares in the neighborhood from RA-2 to RF-1 to maintain the character of existing single-family homes.

Whereas, ANC1C has an interest in supporting adherence of new construction to the District's zoning regulations and construction codes.

Whereas, 2920 18th Street, NW is located in Lanier Heights and subject to RF-1 provisions of DCMR 11, which in E-303.1, limit the height of buildings to 35' and (3) stories.

Whereas, DCRA issued permit B1809516 for 2920 18th Street, NW, on October 25, 2018, authorizing "conversion of existing single-family dwelling into 2 unit flat with 3rd floor and rear additions."

Whereas, the existing grade conditions of the subject property are depicted so as to gain approval of the development of an additional story, otherwise not allowed in the regulations.¹

Whereas, the property owner has performed work to raise the grade by way of berming under the porch with new fill soil, gravel and mulch to coincide with conditions represented in the application to ensure approval of the additional story.

Whereas, DCRA accepted the property owner's response to technical objections submitted by adjacent owners (Stephanie Schwartz & Noam Kutler as part of the Neighbor Notification process) that the work was somehow related to routine maintenance and did not alter the grade.

Whereas, the DC zoning regulations, related to measurement of building height and the number of stories in residential zones (specifically in B-100, B-308 and B-310) were revised in August 2018 to prevent the longstanding manipulation of existing floors and grade to increase density and height in residential districts by always measuring to the most restrictive point.

Whereas, the permitted scope for B1809516, relied on the altered grade measurement to allow for approval an illegal four-story building that will therefore exceed the allowed height and number of stories in RF-1 districts.

Therefore, Be It Resolved, ANC 1C is authorized to file an ANC appeal of permit B1809516.

Finally, Be it Resolved that ANC1C authorizes any ANC1C Commissioner and Guillermo Rueda to act on behalf of ANC1C, before city agencies, the BZA, the Zoning Commission, and the City Council, regarding matters specific to the provisions outlined above.

¹ The drawings do not show the BHMP at the defined existing grade condition. The developer, over the course of the summer has added soil, gravel fill and mulch to create a berm that alters the measurement point (BHMP) to confirm the existing lower level as a cellar (thereby not counted as a story) to allow for the addition of a new story above the zone established limit. As part of the neighbor notification process, the adjacent property owners provided the developer professionally prepared technical objections and sketch of the correct existing grade conditions and photographs of a workman adding stone and mulch under the porch.