



ADVISORY NEIGHBORHOOD COMMISSION 3C
GOVERNMENT OF THE DISTRICT OF COLUMBIA

CATHEDRAL HEIGHTS • CLEVELAND PARK
MASSACHUSETTS AVENUE HEIGHTS • MCLEAN GARDENS
WOODLAND-NORMANSTONE • WOODLEY PARK

Single Member District Commissioners
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04- Beau Finley; 05- Vacant; 06-Angela Bradbery
07- Maureen Kinlan Boucher; 08- Vicki Gersten; 09-Nancy MacWood

P.O. Box 4966
Washington, DC 20008
Website <http://www.anc3c.org>
Email all@anc3c.org

ANC3C Resolution 2020-004
Regarding a Board of Zoning Application Case 20205 for Special Exceptions
for New Construction at 3401 Lowell St. NW

Whereas, the owner of 3401 Lowell Street, NW has filed for the following three zoning waivers:

1. Title 11, Subt. D, Sect. 206.7 - **side yard** for an addition must be a minimum of five feet (5) when existing side yard is non-conforming;
2. Title 11, Subt. D, Sect. 308.1 - **pervious surface** must be a minimum of 50% of lot area in R-1-B zone; and
3. Title 11, Subt. U, Sect. 253.7 - any **additional entrance** to a house for an accessory apartment shall not be located on a wall of the house that faces a street; and

Whereas, the existing side yard on the west side of the property is 2.9 feet and the proposed side yard adjoining the 18.5 feet addition is 4 feet, or one foot less than required; and the existing side yard on the east side of the house is 0 feet and the proposed side yard adjoining the addition would be 0 feet; and

Whereas, the side yard on the west adjoins a property with detached house and a conforming side yard and will extend nearly to the end of the neighbor's rear yard; and

Whereas, the side yard on the east abuts 34th Street with the John Eaton Elementary School across the street; and

Whereas, the existing pervious surface is 40.2% of the lot and with the addition and hardscape changes the proposed pervious surface would increase to 44.1%; and

Whereas, the applicant states that the gap between proposed and required pervious surface is approximately 317 sf and the applicant states that for context the pool deck is approximately 295 sf; and

Whereas, Subt. D, Section 5201.3 permits the Board of Zoning Adjustment (BZA) to approve a special exception for side yard and pervious surface requirements when the applicant has demonstrated that the relief will not have substantially adverse effect on the use and enjoyment of any adjacent or abutting property, in particular, that light and air will not be unduly affected, privacy of use and enjoyment will not be unduly compromised, and the addition and original building, as viewed from

the street, shall not substantially visually intrude upon the character, scale, and pattern of houses along the street frontage;

Whereas, the proposed addition to the house includes renovations of the existing interior that include a basement level accessory apartment with an entrance on the wall facing 34th Street and that said entrance will be covered by an areaway; and

Whereas, Subt. U, Sect. 253.10 permits the BZA to approve a special exception for an entrance to an accessory apartment that faces a street if it would not conflict with the intent to maintain a single household residential appearance and character; and

Whereas, the adjoining neighbor to the west is concerned that the limited side yard and the depth of the addition will affect light and air, privacy and the enjoyment of her property; and other neighbors have expressed concerns about the height, size of the addition, and potential adverse impacts on the safety of children at John Eaton:

Be It Resolved that ANC 3C has no objection to a waiver of the east side yard requirement because there is no adjoining property that would be affected by potential light and air or privacy issues, the pattern along 34th St. includes houses facing the street and houses with side elevations facing the street, HPRB found the design compatible with the historic district, and DDOT reports that public safety will not be adversely affected;

Be It Resolved that ANC 3C has no objection to a waiver of the additional entrance at the basement level facing 34th St. because it will be shielded by an areaway;

Be It Resolved that ANC 3C has no objection to a waiver of the west side yard requirement with the following conditions:

1. at least a 4 ft. side yard will be maintained and

2. a landscape buffer featuring tall, narrow trees will be planted and maintained by the applicant to break up the length of the addition and provide privacy;

Be It Resolved that ANC 3C has no objection to the pervious surface waiver;

Be It Resolved that the Chair and the commissioner for ANC 3C09 are authorized to represent the commission on this matter.

Attested by



Nancy J. MacWood
Chair, on June 10, 2020

This resolution was approved by a voice vote on June 10, 2020 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.