

AGENDA

ANC 6A Economic Development & Zoning Committee
Wednesday July 21, 2010, 7-9:00 PM
Sherwood Recreation Center (640 10th St, NE)
2nd Floor Community Room

7:00 pm **Call to order**

7:01 **Community Comments**

7:05 **Ongoing Status Reports:**

1. H Street Connection Redevelopment (Drew Ronneberg) (2 min)
2. Vacant Properties (Dan Golden/Phil Toomajian) (2 min)

7:11 **Old Business** - None

7:11 **New Business**

1. BZA #18106 (243 8th St NE). The owner/applicant requests a special exception under Section 223 of the DC Zoning Code to construct a third floor addition with a roof deck. The existing structure exceeds 60% lot occupancy and requires a special exception to expand the building's envelope. We will also be considering any historic preservation issues for HPRB. (30 min)
2. DC's switch to new electric meters. Representatives from PECPO and the PUC have been invited to provide more info on the switch of all electrical meters in DC to "smart meters", including whether existing electrical boxes will need to be replaced by the much larger boxes. (25 min)
3. Discussion of the framework the ED&Z committee should use in considering zoning and HPRB cases. This information would be given to future applicants that come before the committee. (20 min)

8:45 **Additional Community Comment (time permitting)**

Everyone is welcome! Call Drew Ronneberg with questions at 202 431-4305.

Visit our website at <http://www.anc6a.org/>

BEFORE THE BOARD OF ZONING ADJUSTMENT

OF THE DISTRICT OF COLUMBIA

APPLICATION

Before completing this form, please review the instructions on the reverse side.
 Print or type all information unless otherwise indicated.

Pursuant to Sections §3103.2 - Use Variance, §3103.2 - Area Variance and/or §3104.1 - Special Exception of Title 11 DCMR - Zoning Regulations an application is hereby made, the details of which are as follows:

Address(es)	Square	Lot No(s)	Zoning Districts	Relief Being Sought Area Variance - Use Variance Special Exception	Section No(s)
243 8th Street NE	917	60	R-4	Special Exception	3104.1, 223, 403

Present use(s) of Property: two family flat

Proposed use(s) of Property: two family flat

Owner of Property: Danica Petroschius

Telephone No: 202-544-1031

Address of Owner: 243 8th Street NE

Written paragraph specifically stating the "who, what, and where of the proposed action(s)". This will serve as the Public

Hearing Notice: The owner/applicants request a special exception under DCMR 11 Section 223 to construct a third floor addition with a roof deck, not meeting the zoning requirements for lot occupancy in the R-4 zone.

Estimated construction cost \$ 80,000

Advisory Neighborhood Commission
Single-Member District(s)

6A03

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both.
(D.C. Official Code § 22-2405)

Date: March 9, 2010

Signature:



* The Owner of the Property for which the application is made or his/her authorized agent. In the event an authorized agent files an application on the behalf of the Owner, a letter signed by the Owner authorizing the agent to act on his/her behalf shall accompany the notice of application.

To be notified of hearing and decision (Owner or Authorized Agent*):

Name: Michael Fowler, AIA

Address: 1819 D Street SE, Washington, DC 20003

Phone No.: 202-546-0896

Fax No.: 202-546-2078

E-Mail: mike@fowler-architects.com

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.



ZONING SELF-CERTIFICATION FORM



Project Address(es)	Square	Lot(s)	Zone District(s)	ANC(s)/Single Member
243 8th Street NE	917	60	R-4	6A03

CERTIFICATION

The undersigned agent hereby certifies that the following zoning relief is required from the Board of Zoning Adjustment in this matter pursuant to:

Relief Sought	<input type="radio"/> §3103.2 - Use Variance	<input type="radio"/> §3103.2 - Area Variance	<input checked="" type="radio"/> §3104.1-Special Exception
Pursuant to Subsections			

Pursuant to 11 DCMR §3113.2, the undersigned agent certifies that:

- (1) the agent is duly licensed to practice law or architecture in the District of Columbia;
- (2) the agent is currently in good standing and otherwise entitled to practice law or architecture in the District of Columbia; and
- (3) the applicant is entitled to apply for the variance or special exception sought for the reasons stated in the application.


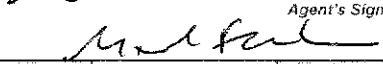
The undersigned agent and owner acknowledge that they are assuming the risk that the owner may require additional or different zoning relief from that which is self-certified in order to obtain, for the above-referenced project, any building permit, certificate of occupancy, or other administrative determination based upon the Zoning Regulations and Map. Any approval of the application by the Board of Zoning Adjustment (BZA) does not constitute a Board finding that the relief sought is the relief required to obtain such permit, certification, or determination.

The undersigned agent and owner further acknowledge that any person aggrieved by the issuance of any permit, certificate, or determination for which the requested zoning relief is a prerequisite may appeal that permit, certificate, or determination on the grounds that additional or different zoning relief is required.

The undersigned agent and owner hereby hold the District of Columbia Office of Zoning and Department of Consumer and Regulatory Affairs harmless from any liability for failure of the undersigned to seek complete and proper zoning relief from the BZA.

The undersigned owner hereby authorizes the undersigned agent to act on the owner's behalf in this matter.

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. (D.C. Official Code § 22-2405)

 Owner's Signature	Owner's Name (Please Print) Danica Petroschius
 Agent's Signature	Agent's Name (Please Print) Michael Fowler, AIA

Date	03/09/2010	D.C. Bar No.		or	Architect Registration No.	101183
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OFFICE OF ZONING DETERMINATION

(11 DCMR §3113.2)

Based upon review of the application and self-certification, this application is

<input type="checkbox"/>	Accepted for filing.
<input type="checkbox"/>	Referred to the Office of the Zoning Administrator, Department of Consumer and Regulatory Affairs, for determination of proper zoning relief required.
<input type="checkbox"/>	Rejected for failure to comply with the provisions of <input type="checkbox"/> 11 DCMR §3113.2; or <input type="checkbox"/> 11 DCMR - Zoning Regulations. Explanation _____

Signature		Date	
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INSTRUCTIONS

Any request for self-certification that is not completed in accordance with the following instructions shall not be accepted.

1. All self-certification applications shall be made on Form 135. All certification forms must be completely filled out (front **and** back) and be typewritten or printed legibly. All information shall be furnished by the applicant. If additional space is necessary, use separate sheets of paper to complete this form.
2. Complete one self-certification form for each application filed. Present this form with the Form 120 Application to the Office of Zoning, 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001.

ITEM	EXISTING CONDITIONS	MINIMUM REQUIRED	MAXIMUM ALLOWED	PROVIDED BY PROPOSED CONSTRUCTION	VARIANCE Deviation/Percent
Lot Area (sq. ft.)	1158.8 SF	1800 SF	N/A	No Change	N/A
Lot Width (ft. to the tenth)	15.66'	18.0'	N/A	No Change	N/A
Lot Occupancy (building area/lot area)	754.8SF-65.1%	N/A	695.3SF-60%	No Change	59.5SF-5.1%
Floor Area Ratio (FAR) (floor area/lot area)	N/A	N/A	N/A	N/A	N/A
Parking Spaces (number)	0	1	N/A	No Change	N/A
Loading Berths (number and size in ft.)	N/A	N/A	N/A	N/A	N/A
Front Yard (ft. to the tenth)	N/A	N/A	N/A	N/A	N/A
Rear Yard (ft. to the tenth)	25.8'	20.0'	N/A	No Change	N/A
Side Yard (ft. to the tenth)	N/A	N/A	N/A	N/A	N/A
Court, Open (width by depth in ft.)	4.0'	6.0'	N/A	N/A	N/A
Court, Closed (width by depth in ft.)	N/A	N/A	N/A	N/A	N/A
Height (ft. to the tenth)	27.8'	N/A	40.0'	34.0'	N/A

**Burden of Proof
Special Exception Application**

**243 8th Street NE
Square 917
Lot 60**

To: **The Office of Zoning**
Government of the District of Columbia
Suite 210 South
441 4th Street, NW
Washington DC 20001

From: **Danica Petroschius**
Owner/Applicant
243 8th Street NE
Washington, DC 20002

Date: **March 9, 2010**

Subject : **BZA Application No. _____ - Petroschius - Whitsell Addition**
243 8th Street NE (Square 917, Lot 60)

Danica Petroschius, owner and resident of 243 8th Street NE, hereby applies for a special exception to build a third story addition on her existing row house. The aspect of the proposed project that falls outside the current zoning regulation is as follows:

The proposed construction maintains the existing lot occupancy of 754.8 SF, which is 5.1% over the allowed lot occupancy for a row house in the R-4 zoning district (11 DCMR 403.2).

I. Summary:

- A.** This special exception qualifies under 11 DCMR Section 223 because the lot occupancy for the property does not exceed 70% (11 DCMR 223.3), and the addition will not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property (11 DCMR 223.2).
- B.** The proposed third story addition will not extend to the rear beyond the limits of the original brick structure. The overall height of the structure will only increase by 6.2', and the addition will be set back at the front of the house so as not to be visible from the street. A proposed roof deck will be between the front of the existing structure and the front of the proposed addition, but will be set back 12.0' from the existing front.
- C.** The proposed first and second floor addition will infill the existing 4.0' wide non-conforming court (11 DCMR 406.1) which will be done as a matter of right. The 3rd floor addition will extend the full width of the property over the existing structure and infill addition of the open court.

II. Bases for Grant of Special Exception

Section 223 provides relief based on satisfying specific criteria under which additions to single-family dwellings may be permitted with a residential district. Those criteria are addressed separately below:

223.1 An addition to a one-family dwelling or flat in those Residence Districts where a flat is permitted that does not comply with all of the applicable area requirements of sections 401, 403, 404, 405, 406 and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under section 3104, subject to the provisions of this section.

The third story addition is to a permitted two family flat that is currently not in conformance with Section 403.2 (60 percent lot occupancy) and Section 406.1 (open court).

The existing structure has a lot coverage of 65.1 percent, which will not change with the proposed addition. This is 5.1 percentage points over the matter-of-right lot occupancy allowed in the R-4 district, but is below the 70% allowed by Section 223.3 as a special exception.

223.2 The addition shall not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

- (a) The light and air available to neighboring properties shall not be unduly affected.**

241 8th Street NE

The project will have no impact on light and air availability of the neighboring property directly to the south (241 8th Street, NE), because:

- a.) The proposed addition will not extend to the rear beyond the original brick structure. The row dwelling at 241 8th Street NE currently extends 10.0' beyond the structure at 243 8th Street NE.
- b.) The row dwelling at 241 8th does not have any windows that face the structure at 243 8th Street NE.
- c.) The rear of the proposed addition will extend 8.6' above the rear of 241 8th Street NE, but because the addition sits to the north no shadows will be cast on the existing structure or yard at 241 8th Street NE.

The owner of 241 8th Street NE has been presented with the proposed plans, and has provided a letter of support.

245 8th Street NE

The project will have only minimal impact on light and air availability of the neighboring property directly to the west (245 8th Street, NE), because:

- a.) The proposed addition will not extend to the rear beyond the original brick structure.

- b.) The rear of the proposed addition will extend only 1.5' above the adjoining parapet wall. The addition will only affect the light on the 3rd floor window closest to the shared property line during the late morning hours.

The owner of 245 8th Street NE has been presented with the proposed plans, and has provided a letter of support.

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

The proposed project will not significantly alter the privacy and enjoyment of the immediate neighbors.

241 8th Street NE

The proposed addition will not unduly compromise the privacy or enjoyment of neighbors to the west, because:

- a.) The only new windows will be along the east-facing rear wall of the addition and along the west-facing front wall which will be set back 20.0' from the existing front face of the house. These windows will only offer minimal views into the back of the property at 241 8th Street NE.
- b.) There will be no windows on the property lines.
- c.) The rear of the structure at 241 8th Street NE extends 10.0' beyond the rear of the proposed addition and there are no windows along the adjacent wall, so the proposed addition will offer no views into the structure.
- d.) The proposed roof deck will offer no views into the existing structure or property at 241 8th Street NE.

The owner of 241 8th Street NE has been presented with the proposed plans, and has provided a letter of support.

245 8th Street NE

- a.) The only new windows will be along the east-facing rear wall of the addition and along the west-facing front wall which will be set back 20.0' from the existing front face of the house. These windows will only offer minimal views into the back of the property at 241 8th Street NE.
- b.) There will be no windows on the property lines.
- c.) The proposed roof deck will offer no views into the existing structure or property at 245 8th Street NE.

The owner of 245 8th Street NE has been presented with the proposed plans, and has provided a letter of support.

(c) The addition, together with the original building, as viewed from the street, alley, or other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage

The building addition will not be visible from the street frontage at 8th Street NE. The addition will be set back 20.0' from the front of the existing structure.

The overall height of the structure will only increase in height by approximately 6.2', which will not substantially intrude upon the scale or pattern of the houses on the alley.

The proposed addition will be constructed with high quality, historically appropriate materials.

(d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition to adjacent buildings and views from public ways.

Along with this application, we have included the following items:

- a) Photos of the existing house and surroundings;
- b) Signatures of support from neighbors for a rear addition;
- c) Plan and elevation drawings of proposed addition, including a site plan showing the relationship of the proposed addition to adjacent buildings.
- d) Official Plat from the DC Office of the Surveyor.

If you require any further clarification or have any questions regarding the application, Danica Petroschius, and authorized agents Michael Fowler, A.I.A, Jennifer Fowler, A.I.A., and Casey Tilghman are available at any time to discuss them with you.

Thank you,



Danica Petroschius
Owner/Applicant
243 8th Street NE
Washington, DC 20002

March 9, 2010

Board of Zoning Adjustment

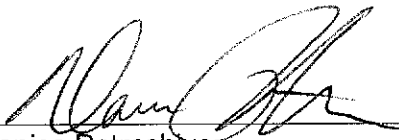
Government of the District of Columbia
Suite 210 South
441 4th Street, NW
Washington DC 20001

Re: BZA Zoning Application No. _____
(Application of Danica Petroshtus and Greg Whitsell, 243 8th Street NE)

Dear Board of Zoning Adjustment:

I authorize Jennifer Cox Fowler, A.I.A., Mike Fowler, A.I.A., and Casey Tilghman of Fowler Architects to act as my agents regarding the BZA Zoning application for 243 8th Street NE.

Sincerely,



Danica Petroshtus
Owner/Applicant
243 8th Street NE
Washington, DC 20002

March 27, 2010

Board of Zoning Adjustment

Government of the District of Columbia
Suite 210 South
441 4th Street, NW
Washington DC 20001

Re: **BZA Application of Greg Whitsell and Danica Petroschius**
243 8th Street NE

Dear Board of Zoning Adjustment:

I am the adjacent property owner at 243 8th Street NE. My neighbors Greg Whitsell and Danica Petroschius of 243 8th Street NE are seeking a special exception of the District of Columbia zoning laws to build a third floor addition on a structure not in conformance with 11 DCMR Section 403.2 (60 percent lot occupancy). They have shared the drawings of the proposed addition that will be submitted with their application to the BZA.

I have reviewed the materials and strongly support the proposed addition, it will be a benefit for the neighborhood to have such upgrades. I recommend that BZA grant the request for a special exception.

Sincerely,

 _____, owner
Connie J. Avery
Benjamin J. Thoele

241 8th Street NE
Washington, DC 20002

May 24, 2010

Board of Zoning Adjustment
Government of the District of Columbia
Suite 210 South
441 4th Street, NW
Washington DC 20001


Re: **BZA Application of Greg Whitsell and Danica Petroschius**
243 8th Street NE

Dear Board of Zoning Adjustment:

I am the adjacent property owner at 245 8th Street NE. My neighbors Greg Whitsell and Danica Petroschius of 243 8th Street NE are seeking a special exception of the District of Columbia zoning laws to build a third floor addition on a structure not in conformance with 11 DCMR Section 403.2 (60 percent lot occupancy). They have shared the drawings of the proposed addition that will be submitted with their application to the BZA.

I have reviewed the materials and support the proposed addition. I recommend that BZA grant the request for a special exception.

Sincerely,


_____, owner

245 8th Street NE
Washington, DC 20002



Street Frontage 243 8th Street NE



View from 8th Street NE towards North



View from 8th Street NE towards South



View of 243 8th Street NE from rear yard

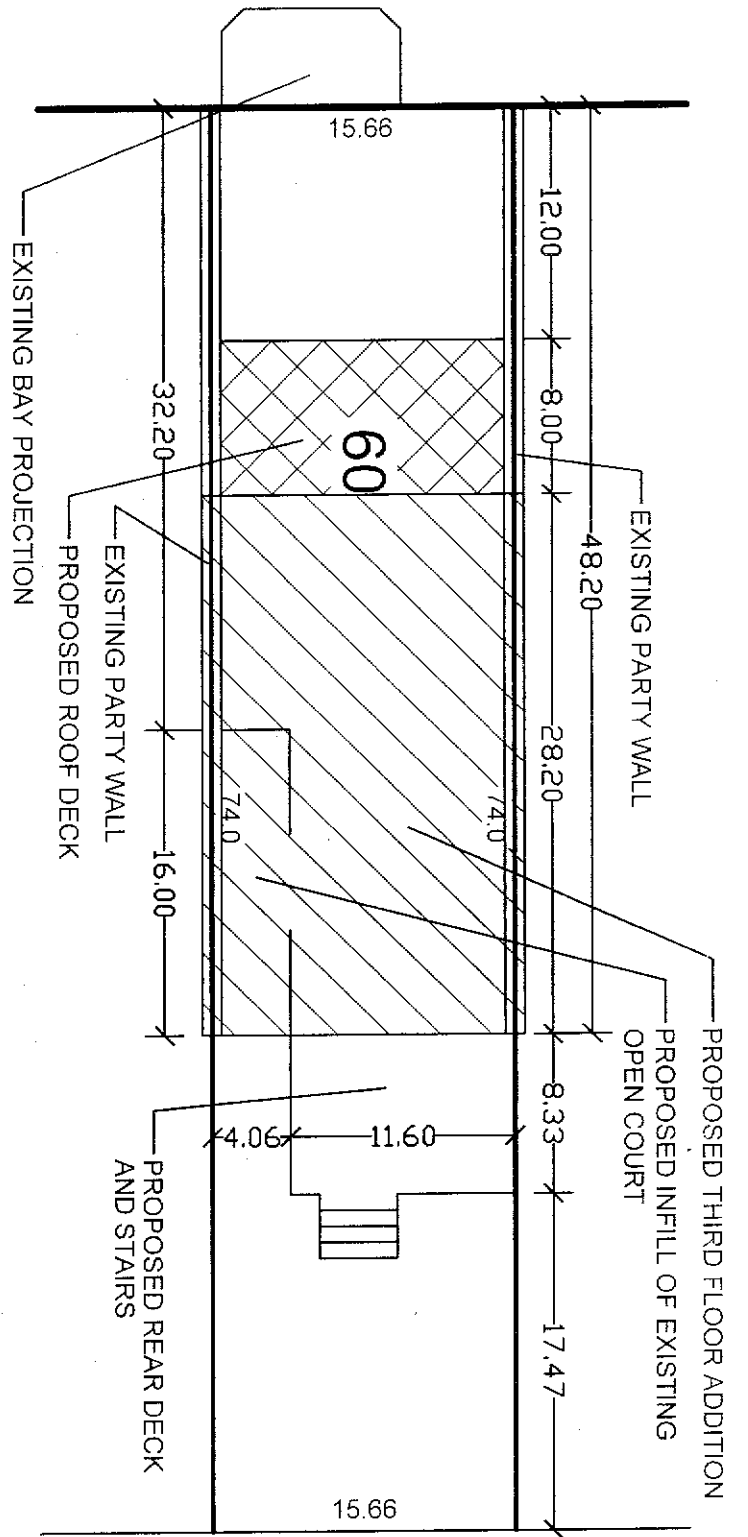


View along alley towards 241 8th Street NE



View along alley towards 245 8th Street NE

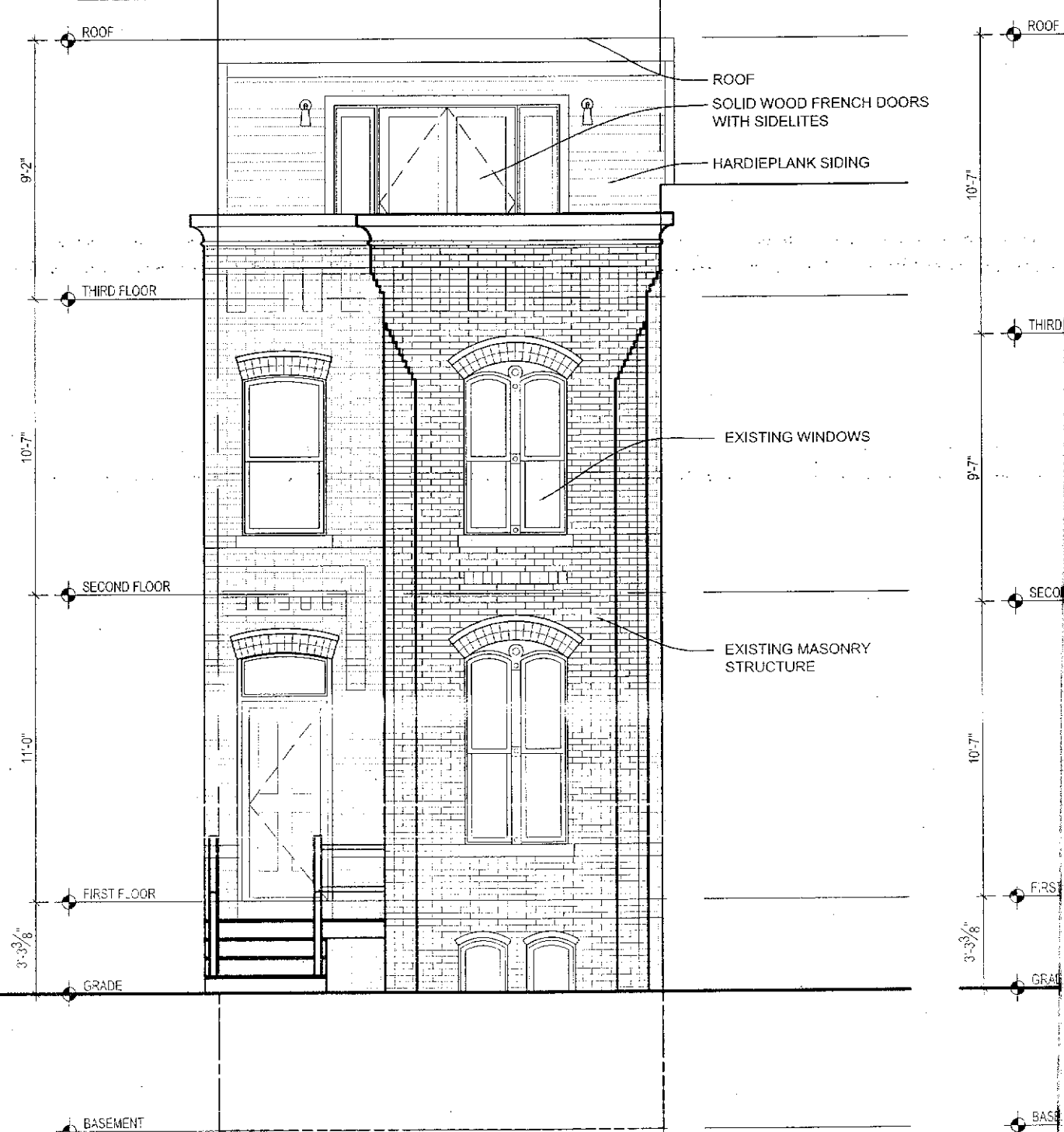
8th STREET, N.E.



PUBLIC ALLEY

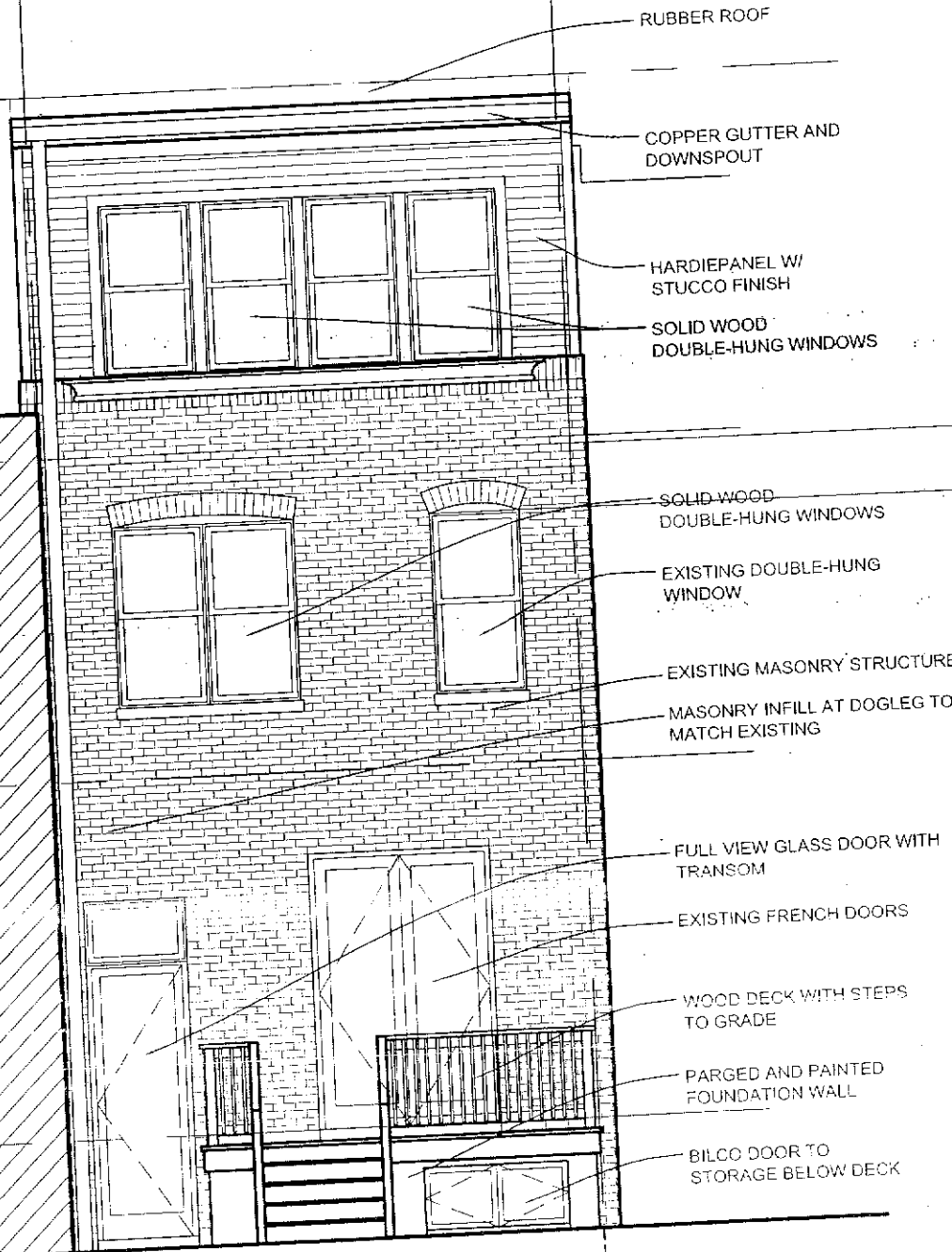
10'

10'



1 WEST ELEVATION
 A-5 SCALE: 3/16"=1'-0"

REVISIONS	DATE	COMMENTS



- RUBBER ROOF
- COPPER GUTTER AND DOWNSPOUT
- HARDIEPANEL W/ STUCCO FINISH
- SOLID WOOD DOUBLE-HUNG WINDOWS
- SOLID WOOD DOUBLE-HUNG WINDOWS
- EXISTING DOUBLE-HUNG WINDOW
- EXISTING MASONRY STRUCTURE
- MASONRY INFILL AT DOGLEG TO MATCH EXISTING
- FULL VIEW GLASS DOOR WITH TRANSOM
- EXISTING FRENCH DOORS
- WOOD DECK WITH STEPS TO GRADE
- PARGED AND PAINTED FOUNDATION WALL
- BILCO DOOR TO STORAGE BELOW DECK

PETROSHIUS-WHITSELL RESIDENCE

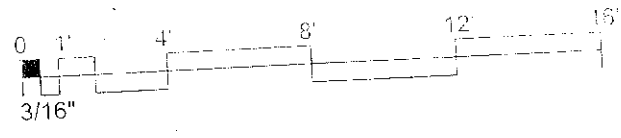
243 8TH ST NE Washington, DC 20002

FOWLER ARCHITECTS
 1819 D STREET SE
 WASHINGTON, DC 20003
 (202) 546-0296
www.fowlerarchitects.com

SEAL:

VERSION: BZA
 DATE: 3-9-10
 SCALE: 3/16"=1'-0"
 EXTERIOR ELEVATIONS

2 EAST ELEVATION
 A-5 SCALE: 3/16"=1'-0"



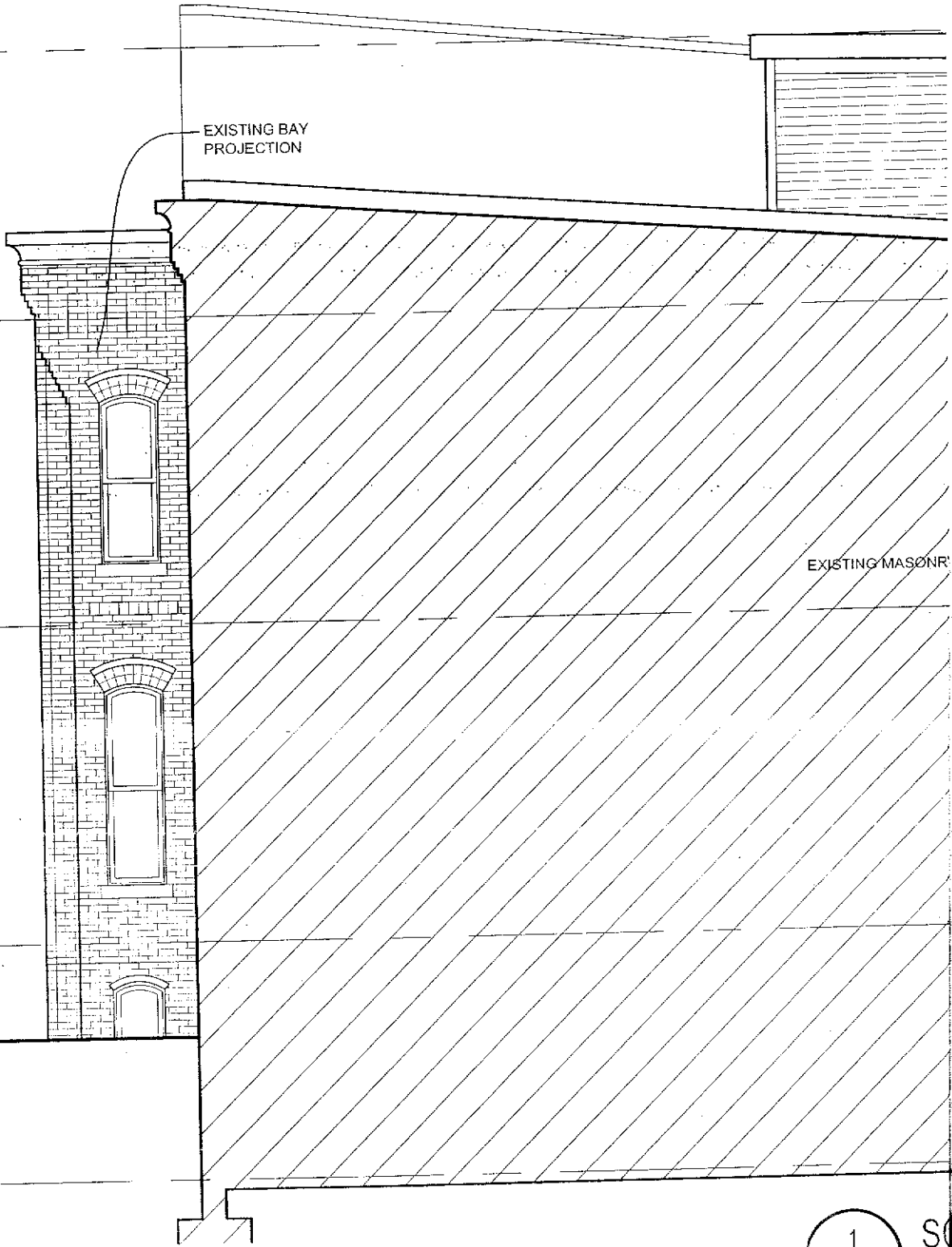
A-5

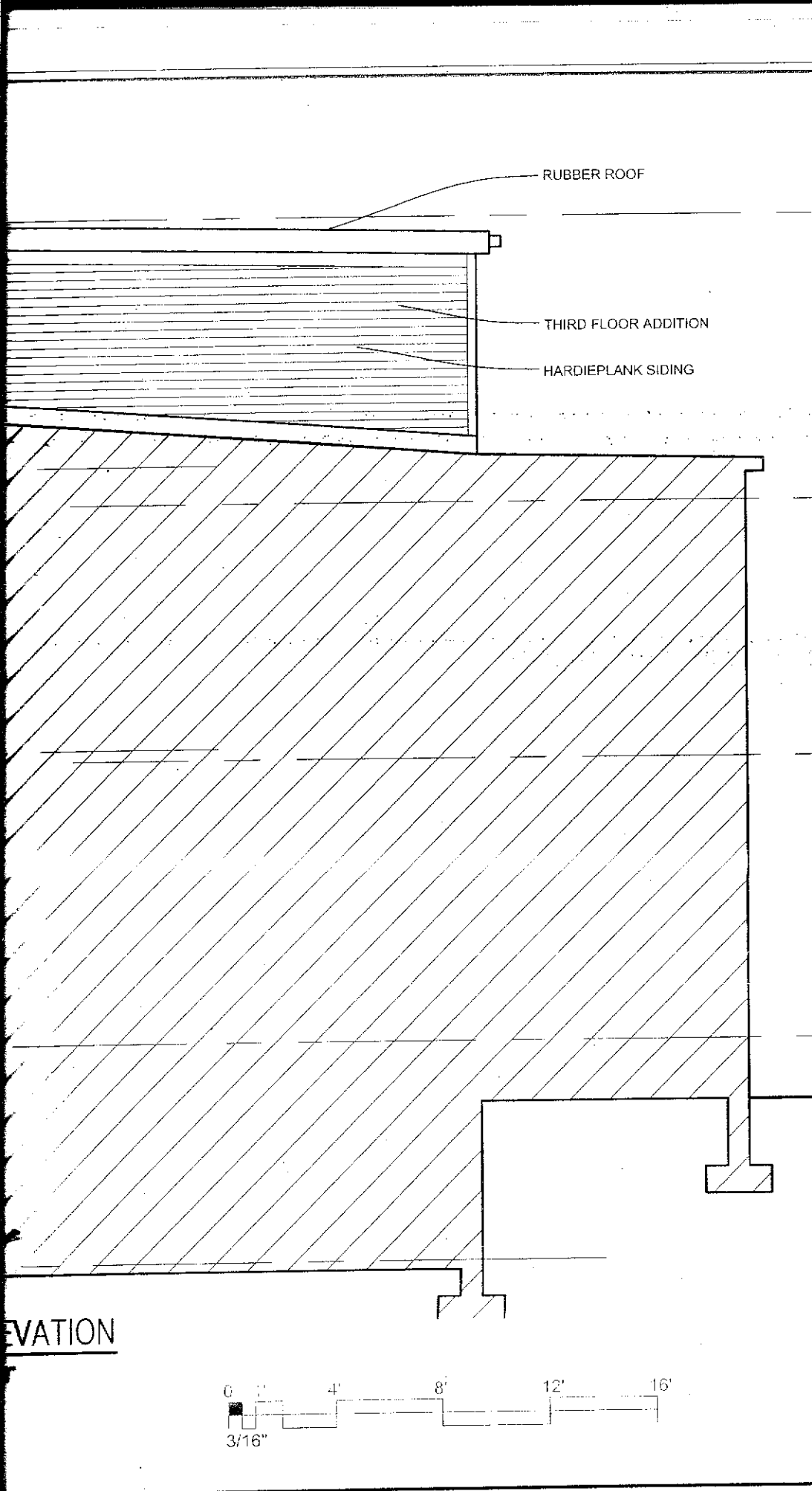
ROOF
9'-2"
THIRD FLOOR
10'-7"
SECOND FLOOR
4'-0"
FIRST FLOOR
3'-3 3/8"
GRADE
BASEMENT

EXISTING BAY PROJECTION

EXISTING MASONRY

1
A-6
SC
SC





REVISIONS	
DATE	DESCRIPTION

PETROSHIUS-WHITSELL RESIDENCE
 243 8TH ST NE · Washington, DC 20002

FOWLER ARCHITECTS
 1819 D STREET SE
 WASHINGTON DC 20003
 (202) 546-5796
www.fowler-architects.com

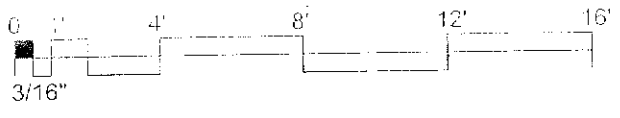
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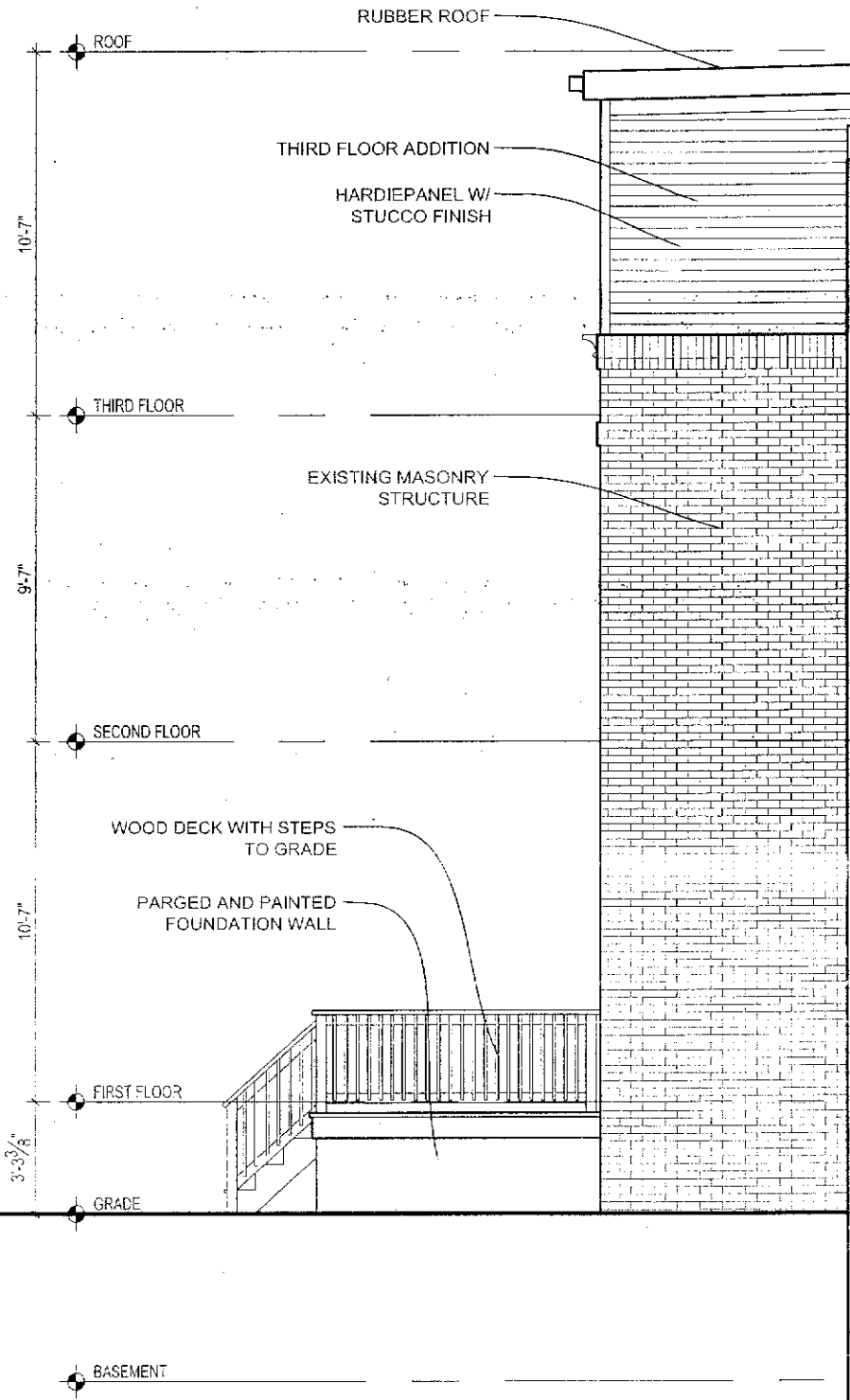
VERSION: BZA
 DATE: 3-9-10
 SCALE: 3/16"=1'-0"

EXTERIOR ELEVATIONS

A-6

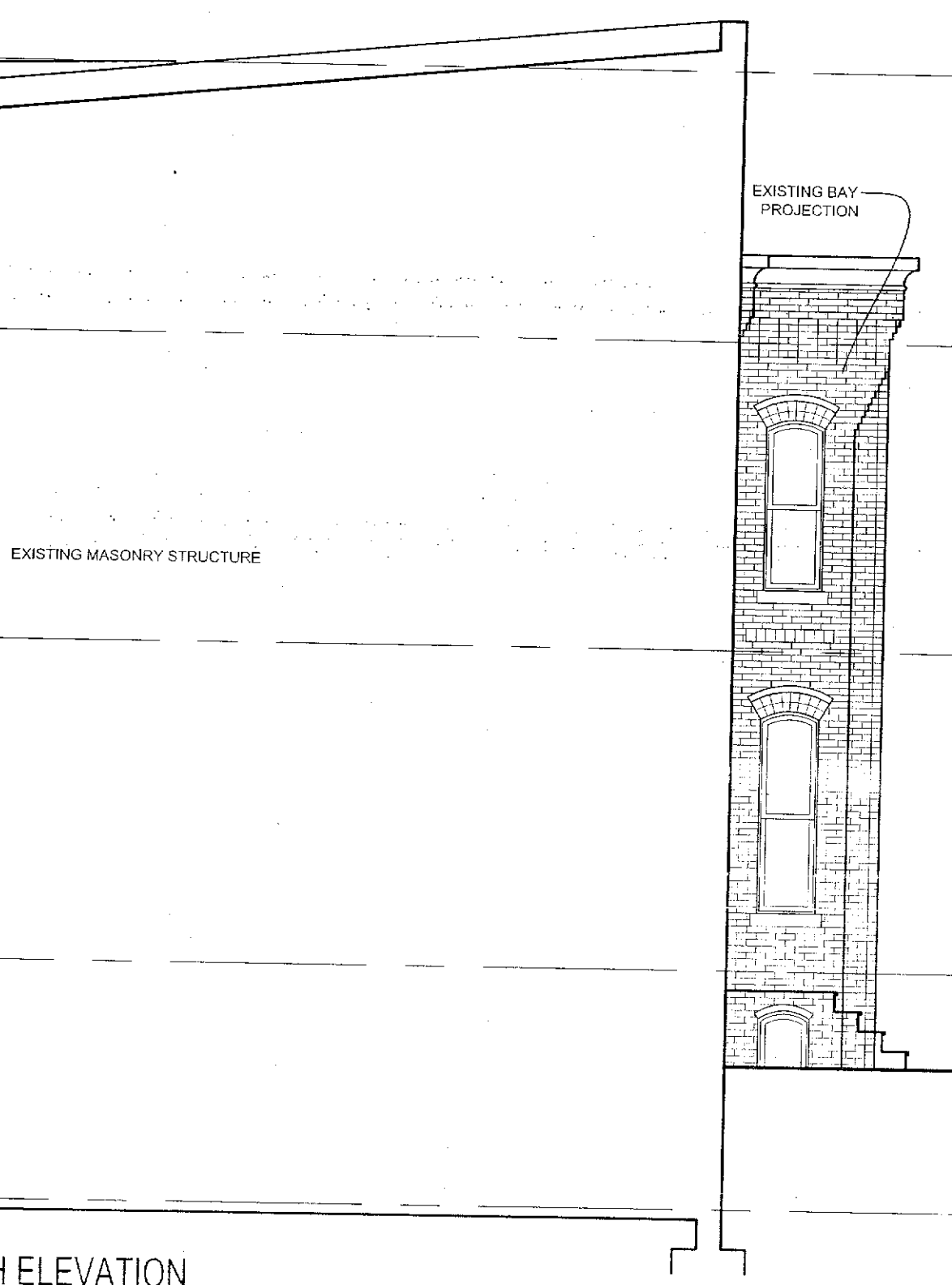
ELEVATION





1 N
A-7 SC

REVISIONS	
DATE	COMMENTS



PETROSHIUS-WHITSELL RESIDENCE

243 8TH ST NE Washington, DC 20002

FOWLER ARCHITECTS

1819 D STREET SE
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 202.544.6846
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SEAL:

VERSION: BZA

DATE: 3-9-10

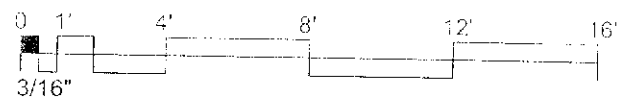
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EXTERIOR ELEVATIONS

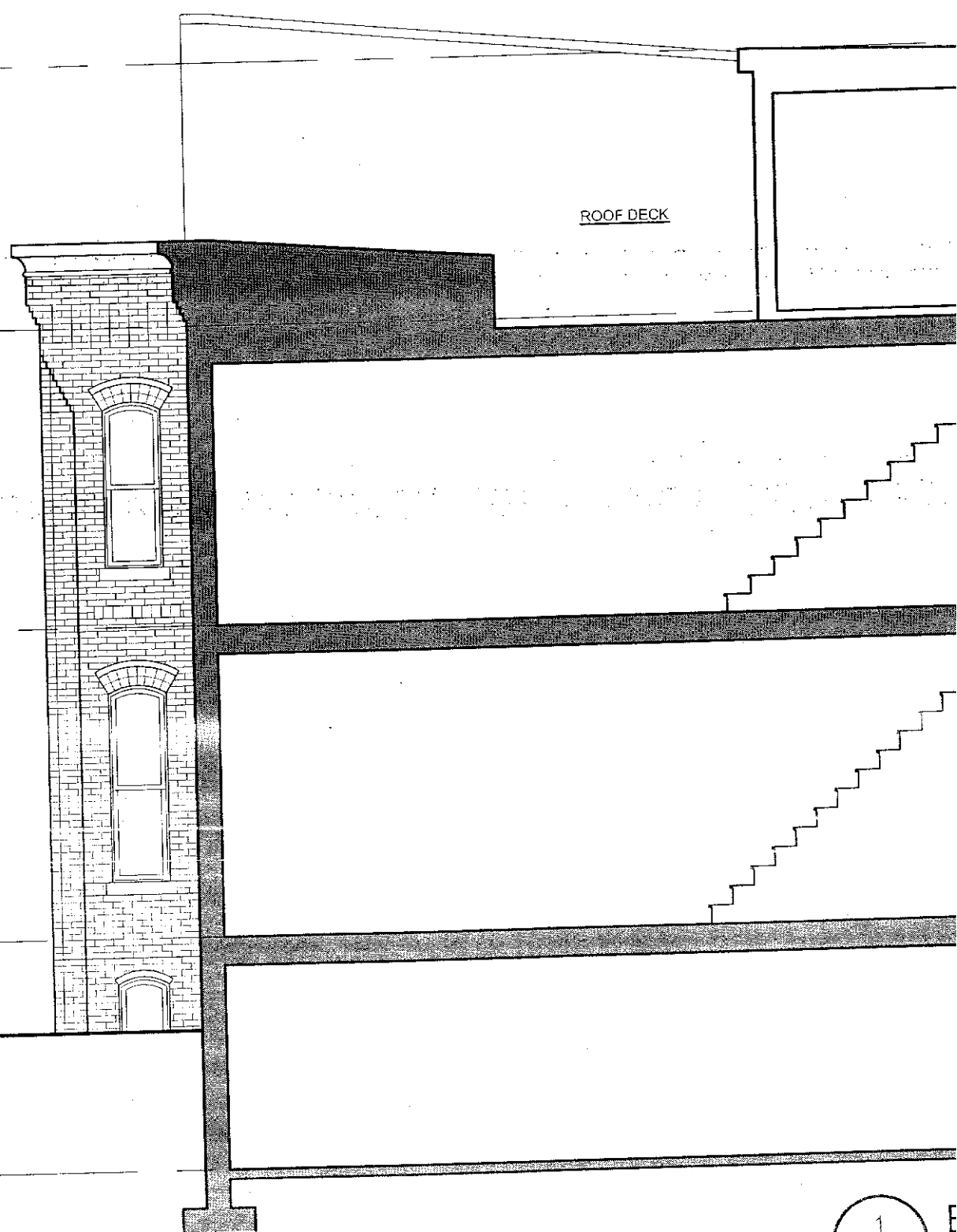
A-7

H ELEVATION

3/16"=1'-0"



ROOF
9'-2"
THIRD FLOOR
10'-7"
SECOND FLOOR
11'-0"
FIRST FLOOR
3'-3/8"
GRADE
BASEMENT



ROOF DECK

1
A-8

REVISIONS

DATE COMMENTS

#	DATE	COMMENTS

PETROSHIUS-WHITSELL RESIDENCE

243 8TH ST NE Washington, DC 20002

FWLER ARCHITECTS

1215 D STREET SE
WASHINGTON, DC 20003
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SEAL:

VERSION: BZA

DATE: 3-9-10

SCALE: 3/16"=1'-0"

BUILDING SECTION

A-8

BUILDING SECTION

3/16"=1'-0"

