

**Report of the Economic Development and Zoning (ED&Z) Committee of the Advisory
Neighborhood Commission (ANC) 6A
Sherwood Recreation Center, 640 Tenth (10th) Street NE
December 21, 2016**

The meeting convened at 7:00 pm.

Members: Brad Greenfield (Chair), Missy Boyette, Stephanie Zimny and Jake Johnson.
Commissioners: Phil Toomajian.

Community Comment: There were no community comments at the beginning of the meeting.

Old Business:

600 Ninth (9th) Street, NE (BZA #19355): Application pursuant to 11 DCMR Subtitle X, Chapter 10, for variances from the non-conforming structure requirements of Subtitle C § 202.2, the lot occupancy requirements of Subtitle E § 304.1, and the rear yard requirements of Subtitle E § 306.1, to permit the location of multiple decks over an existing rear-attached garage in the RF-1 Zone.

This was a continuation of a case heard by the EDZ in October 2016. At that time, the EDZ Committee recommended the ANC support the requested relief, on the condition that the owner get letters of support from neighbors. After the EDZ considered the case, several neighbors voiced opposition, so the ANC itself requested that the EDZ take another look at it. The case started because the homeowners wanted to do work inside of the house and zoning said that the decks needed to be permitted. The Owners said they are not going to do anything to the decks and just want them to be made legal. The Zoning Administrator has stated that since the property is at 100% lot occupancy, a variance is required. The illegal work was not done by the current owners of the property, but was done by previous owners. The decks are built on top of a garage, with the garage likely predating 1958, while the decks appear to have been built in the last ten (10) years.

The direct neighbor has voiced opposition, based on the obtrusiveness of the decks, including having a HVAC compressor directly across from her bedroom window. The Owners said they were willing to work with neighbors on certain requests and said that when the AC unit fails, they will be willing to replace it in a different location. Neighbors also voiced concerns about the structural integrity of the decks.

Several neighbors presented against this project and gave copies of letters in opposition to the request, 3 -4 neighbors were in attendance in opposition to the project. The major concern was that if a variance is granted, anything can happen in the back of the house since the variance is granted into perpetuity.

Chairman Greenfield proposed including the home in the historic district in order to prevent a large development or major modifications in the back of the home. The other side of the street is already included in the historic district and the only reason the other side is not is because the work has not been done yet. This would provide additional checks that would mitigate the risk of future development taking advantage of the relief after it has been granted for the existing structure. The Owners seemed willing to investigate this option, but

there may be an issue because they have already gotten two continuances from BZA. Getting another continuance may require appearing in person before the BZA. The EDZ decided to table action on this request pending some follow up actions from Brad Greenfield, Nick Karambelas (attorney for the owners) and the owners.

Action items:

- Applicants have been asked to explore the possibility of including their home in the historic district.
- The attorney for the home owner will send an email requesting a delay in the BZA case.
- Brad will send a letter to Zoning Administrator Matt LeGrant asking why a permit was not granted for the decks when they were originally constructed.

Kingman Park Historic District: Request by residents to make Kingman Park, NE a Historic District.

Consideration of the Kingman Park Historic District was on the agenda, but none of the principles showed up. Only 2 blocks of the proposed district are in ANC 6A. Commissioner Calvin Ward said a few weeks ago that he would hold a meeting with residents who would be affected but nobody on the Committee or Commissioner Phil Toomajian heard how the meeting went or what the outcome was.

There were several people from the community that showed up to voice concerns about the level of outreach conducted. People said that they were not notified of meetings, were given no notice of meetings and had no idea what this would mean for them or their homes. On March 11, 2017, there will be a meeting for the Friends of Kingman Park to discuss the initiative. The EDZ agreed to table consideration of the designation as a Historic District at this time.

The meeting adjourned at 8:30 pm.