



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 5B
1920 Irving Street NE, Washington, DC 20018
Website: anc5B.org**

Resolution Opposing Application Relief Request #20389 to Build a Structure with Side Yard 2.40 feet Less than the Required Eight Feet and both the existing and proposed lots less than the Required Fifty Feet.

Whereas DCMR 11-D300.1 (a) purposes R-1-B zones are to protect quiet residential areas developed with detached dwellings and adjoining vacant areas likely to be developed for those purposes, (b) Stabilize the residential areas and promote a suitable environment for family life, and DCMR 11-D 300.3 intended to provide for areas predominantly developed with detached houses on moderately sized lots;

Whereas Mercedes Bien of Lenjeswil LLC sold the house on January 14, 2021; however, Jessica Ellis and Gregory Kearley hadn't submitted a new zoning request for zoning variance relief "Side yard" and "Lot width" for both the existing structure and the proposed structure;

Whereas the developers propose to subdivide an eighty (80) foot lot reduces the existing structure (A) to a forty-one feet wide lot; and build a two-story single-family home (B) on a lot thirty-nine (39) feet wide, causing both structures to violate the minimum fifty (50) feet wide required for single-family homes zoned R-1-B, according to DCMR 11-D 302.1;

Whereas the developers propose to build a single-family two-story structure 2.40 ft wide adjacent to the existing structure at 1915 Shepherd Street NE violates DCMR 11-D307.1, side yards shall provide a minimum of eight feet (8 ft.) wide in neighborhoods zoned R-I-B;

Whereas for a building subject to a side yard requirement but which has an existing side yard less than eight feet (8 ft.) wide, may add an extension or addition to the building; provided, that the width of the existing side yard shall not be decreased; and provided further, that the width of the existing side yard shall be a minimum of five feet (5 ft.) according DCMR 11-D307.5;

Whereas the proposed two-story single-family home violates DCMR 11-D 223.2 (c) addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage; and

Whereas The existing homes' roofs in the 1900 block of Shepherd Street NE face front to rear when viewed from the street and alley. The developers proposed a two-story single-family home's roof faces left to right, potentially causing rain runoff to flow onto adjacent property and downhill into other neighbors' yards and basements; now, therefore, be it

Resolved, that Advisory Neighborhood Commission (ANC) 5B

1. Urges the Board of Zoning Adjustment to oppose zoning relief for developers to subdivide an 80-foot lot with an existing structure, to build a single-family structure that will occupy thirty-nine (39) feet in width of the same lot; both properties will violate the fifty (50) ft minimum width required for single-family homes zoned R-I-B according to DCMR 11-D 302.1;
2. Urges the Board of Zoning Adjustment to deny zoning relief for the developers at 1915 Shepherd Street NE to build adjacent to the existing structure 2.40 feet less than the required (8) feet violates DCMR 11-D 307.1 side yard shall have a minimum of eight feet (8 ft.) in R-1-B zones;
3. Urges the Board of Zoning Adjustment to protect property owners within 200 feet of 1915 Shepherd Street who would be adversely affected by the developer's proposed project, that visually intrudes upon the character, scale, and pattern of houses along the subject street frontage, if BZA grant zoning relief; and
4. Urges the Board of Zoning Adjustment to support the 200 footers who overwhelmingly signed a petition oppose granting developers side yard relief 2.40 feet and lot width relief thirty-nine (39) feet for 1915 Shepherd Street NE zoned R-1-B.

This resolution is approved/opposed by a vote of _____ in favor, _____ opposed, and _____ abstentions, on January 27, 2021, at a duly noticed “Virtual” public meeting of ANC 5B at which a quorum is present. (A quorum is 3 out of 5 setting members), Commissioner Carley is the point of contact for this resolution.

Ursula Higgins, Chairperson

Prita Piekara, Secretary