



March 25, 2020

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Mr. Frederick Hill, Chairperson  
Board of Zoning Adjustment  
District of Columbia Office of Zoning  
441 4th Street NW, Suite 200/210-S  
Washington, DC 20001

VIA: Interactive Zoning Information System Filing – IZIS

RE: BZA #20240: 1330 K St SE; Special Exception to construct a third story and a rear addition to convert a single-family dwelling unit into two dwelling units and to expand an accessory building for a third residential unit in the RF-1 Zone at premises 1330 K Street S.E. (Square 1046, Lot 862).

Dear Chairman Hill:

At a regularly scheduled, properly noticed, meeting on March 10, 2019, with a quorum present, Advisory Neighborhood Commission (ANC) 6B voted 8-1-0 in support of the above referenced request.

As to the case at hand, ANC 6B voted 8-1-0 to support granting the special exceptions and variance in case #20240. Ryan Amons, representing the applicant, presented the project at the P&Z Committee on March 3 and again at the full meeting on March 10. The adjoining neighbor spoke in support of the project at our March 3<sup>rd</sup> meeting and several neighbors also spoke in support and in opposition. The ANC considered all these views along with our own experiences before voting.

**Special Exceptions Relating to # of Units, Accessory Building Size, 10 Foot Rule, and Design**

Rather than detailing every criterion, we will speak to the special exceptions being requested in total. Because of the unique size and geographical layout of this property, the ANC does not believe the addition to the main building will unduly impact the light and air or privacy and use of adjoining neighbors. The 1300 block of K Street SE is home to varied height and architectural styles and this design, especially when paired with a matching design on the vacant lot to the east, will not intrude upon any scale or character of the block.

Related to the accessory building, ANC 6B notes the alley is currently home to existing two-story accessory buildings and this building is set back 10 feet to further minimize the impact on the alley. The ANC is further in support of adding the solution on this property to add third principal dwelling unit to the accessory building, as it allows three family-sized units on this lot.

**Variance of Setback from Alley Centerline**

ANC 6B is in support of this variance as it meets all three prongs of the variance test. The property is uniquely situated at the confluence of many alley legs, has an unimproved alley lot to the north<sup>1</sup>, and has a weird history of alley creation. Because of the shape and layout, including shaving of the corners of lot lines of 1330 K Street SE and the alley lot to the rear (Shown in applicant’s Exhibit 38A page 4), the space available for a person parking a car is much larger than the center line setback. This **exceptional situation results in a practical difficulty** in creating three family sized units on this property.

Further, the lot is adjacent to larger alleys allowing FEMS access to the accessory building and we continue to note the large open area at the alley leg confluence where the corners to the property lines are shaved and that the building is set back 10 feet from the property line. A two-story accessory building at this property is **not a substantial detriment to the public good**.

An accessory building here is envisioned by the zoning code and the size and use is governed by the special exception criteria. As such there is **no substantial harm to the zoning regulations**.

Kelly Waud, SMD Commissioner for this property, and Corey Holman, Chair of ANC 6B’s Planning and Zoning Committee, is authorized to represent ANC 6B in front of the Board on this matter.

Please contact Commissioner Corey Holman, ANC 6B’s Planning and Zoning (P&Z) Committee Chair, at 301-664-4132 or [6b06@anc.dc.gov](mailto:6b06@anc.dc.gov) if you have questions or need further information.

Sincerely,



Brian Ready  
Chair, ANC 6B

Attachment: Copy of Form 129  
Owner/Applicant: Schmidt Development, LLC/Martin Sullivan, Sullivan & Barros, LLP  
P&Z Chair: Corey Holman  
SMD Commissioner: Kelly Waud

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<sup>1</sup> ANC 6B would like to make the Board of Zoning Adjustment aware of a pending text amendment, Case 19-13, that would change the regulation and by-right building envelope of this parcel. The OP proposed regulations in the Setdown Report, would allow a 20-foot by-right residential building on this tax lot, created prior to 1958. The ANC examined the applicant’s request for a variance assuming these proposed text amendments would pass unchanged, as they represent a scenario in which there is a building on the alley lot line and the true width of the alley needing relief is 10 feet.



**BEFORE THE ZONING COMMISSION AND  
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA**



**FORM 129 – ADVISORY NEIGHBORHOOD COMMISSION (ANC) REPORT**

Before completing this form, please review the instructions on the reverse side.

Pursuant to §§ 3012.5 and 3115.1 of Title 11 DCMR Zoning Regulations, the written report of the Advisory Neighborhood Commission (ANC) shall contain the following information:

**IDENTIFICATION OF APPEAL, PETITION, OR APPLICATION:**

Case No.:		Case Name:	
Address or Square/Lot(s) of Property:			
Relief Requested:			

**ANC MEETING INFORMATION**


Date of ANC Public Meeting:	D	D	/	M	M	/	Y	Y	Was proper notice given?:	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
Description of how notice was given:														
Number of members that constitutes a quorum:		Number of members present at the meeting:												

**MATERIAL SUBSTANCE**

The issues and concerns of the ANC about the appeal, petition, or application as related to the standards of the Zoning Regulations against which the appeal, petition, or application must be judged (*a separate sheet of paper may be used*):


The recommendation, if any, of the ANC as to the disposition of the appeal, petition, or application (*a separate sheet of paper may be used*):


**AUTHORIZATION**

ANC		Recorded vote on the motion to adopt the report (i.e. 4-1-1):	
Name of the person authorized by the ANC to present the report:			
Name of the Chairperson or Vice-Chairperson authorized to sign the report:			
Signature of Chairperson/ Vice-Chairperson:		Date:	

**ANY APPLICATION THAT IS FOUND TO BE INCOMPLETE MAY NOT BE ACCORDED "GREAT WEIGHT" PURSUANT TO  
11 DCMR §§ 3012 AND 3115.**

**INSTRUCTIONS**

Pursuant to 11 DCMR §§ 3012.6 and 3115.2, the Zoning Commission and Board of Zoning Adjustment shall give “*great weight*” to the written report of the affected Advisory Neighborhood Commission (ANC), as required by the Comprehensive Advisory Neighborhood Commissions Reform Amendment Act of 2000.

1. All ANC reports shall be made pursuant to this form. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form.
2. Present this form and supporting documents to the Office of Zoning at 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, D.C. 20001.
3. Submission deadlines are as follows:

**For Zoning Commission:**

- a. ANCs must file this form at least seven (7) calendar days in advance of the hearing, if they wish to participate in a contested case under § 3022.
- b. ANCs may file this form as long as the case record is open, if they wish to participate in a rulemaking case under § 3021.

**For Board of Zoning Adjustment:**

- a. ANCs must file this form at least seven (7) calendar days in advance of the hearing.



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete a Form 155 - Request for Reasonable Accommodation.