



P.O. Box 15264
Washington, DC 20003-0264

Matthew Marcou
Public Space Committee
c/o DDOT Public Space Permit Office
1100 4th Street, SW, Room 360
Washington DC, 20024

email: Matthew.Marcou@dc.gov
email: PublicSpace.Committee@dc.gov

November 12, 2020

Subject: Public Space Permit Application No. 358240: 8x10 foot garden shed in the public parking adjacent to lot 803, in square 1068SE (205 15th Street, NE)

Dear Mr. Marcou:

The Capitol Hill Restoration Society (CHRS) is the largest community organization on Capitol Hill. For over 60 years we have advocated for the Capitol Hill community on historic preservation, and sound land use planning.

CHRS opposes the application of Sunny K. Petzinger, seeking permission to erect an accessory building (garden shed) in the public parking adjacent to lot 803, in square 1068SE (205 15th Street, NE). See Figures 1, 2. The dimensions of the building are 8 x 10 feet, and, according to Ms. Petzinger's statement to the ANC 6A Transportation and Public Space Committee, the building would approximately 7 feet tall at the highest point on its gable roof.

History, purpose, and definition of parking: visible public space for trees, greenery and safety

The law on parking, beginning in 1870 and continuing through the present, mandates that parking be preserved as open public space used for trees, greenery or parks. The proposed building would occupy and obstruct open space and for this reason the application should be denied.

DC Code § 10-1101.01(4) provides:

“Parking” means that area of public space which lies between the property line and the edge of the actual or planned sidewalk which is nearer to such property line, as such property line and sidewalk are shown on the records of the District.

The regulations add:

“Public parking means that area of public space devoted to open space, greenery, parks, or parking that lies between the property line ... and the edge of the actual or planned sidewalk that is nearer to the property line DCMR § 24-102.8.

Parking was created in the Parking Act of 1870. By the Civil War, the width of the L'Enfant Plan streets had turned out to be too wide to be maintained at public expense.¹ In response Congress created “parking,” authorizing District government “to set apart from time to time, as parks, to be adorned with shade-trees, walks and enclosed with curbstones, not exceeding one half the width of any and all avenues and streets in the said city of Washington.”² Parking continues in the DC Code. DDOT’s *Public Realm Design Manual* adds that District government later allowed bay windows, oriel windows, corner towers, and porches to project into public space. p. 1-2. All projections are a privilege and may not be claimed as a right. They require a permit from the code official. DCMR § 12-3202.1.

The rules on walls and open-design fences preserve the parking as open park space. See DCMR § 24-103.1, *Public Realm Design Manual*, Landscaping and The Public Parking Area, requiring that fences have an open design of at least 50 percent. 4-7.³

¹ DDOT, *Public Realm Design Manual*, 1-1, 1-2.

² Chap. XLVII – An Act establishing the Corporation of the City of Washington to set apart Portions of Streets and Avenues as Parks for Trees and Walks. 16 Stat. 82 (41st Cong., 2d Sess. (1870)).

³ “Low retaining walls and fences are required to maintain site [sic] lines along city streets, particularly at intersections.” *Public Realm Design Manual*, 4-3. The manual illustrates this concept with a photograph of a low retaining wall and metal fence, on a corner property similar to 205 15th Street, NE.

1. An accessory building is not an architectural projection from an existing structure (such as a bay, porch or window well) and is therefore not included in the list of permissible exceptions.
2. Furthermore, the building would occupy a significant portion of the parking and would block the view of additional greenspace, undermining the goal of a visible park.
3. Finally, approval of this application would open the door to innumerable future similar structures which would further erode public parking, city-wide.

The *Public Realm Design Manual* cites the Comprehensive Plan's emphasis on view sheds. p. 4-3. The Urban Design Element (2018), identifies North Carolina Avenue as a locally significant viewshed. Figure 3. While the accessory building would not actually block the view, it would detract from the view in a highly visible and significantly undesirable way.

We urge the Public Space Committee to deny this application.

CHRS takes no position on the application for construction of a fence in No. 358240.

Thank you for considering our comments.

Sincerely,



Beth Purcell, President

cc:

Councilmember Charles Allen	email: callen@dccouncil.us
Amber Gove, Chair, ANC 6A	email: amberanc6a@gmail.com ,
Sunny K. Petzinger	email: sjpetzinger@gmail.com

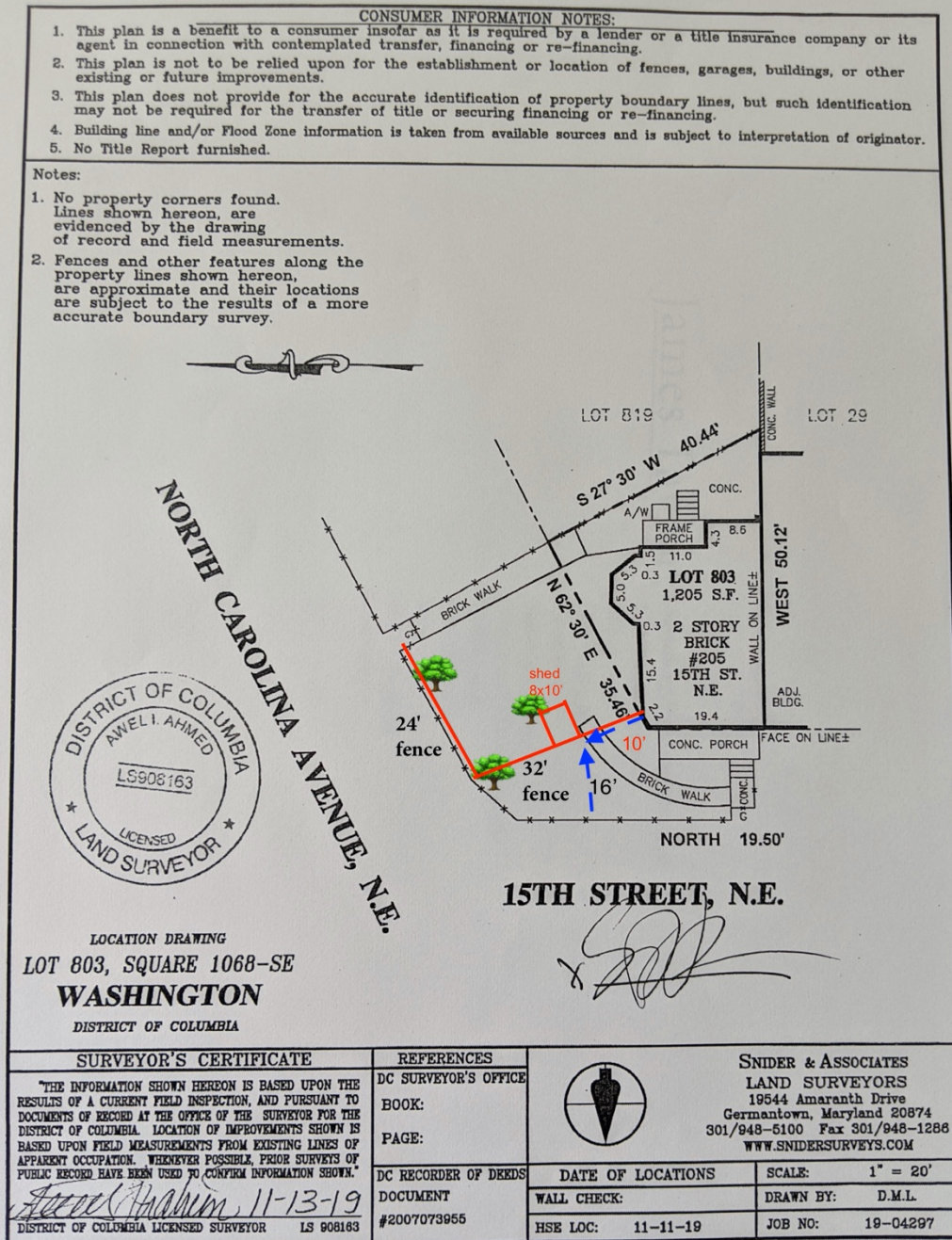


Figure 1. Survey, 205 15th Street, NE, Square 1068SE, lot 803, and parking. Proposed accessory building is not to scale.



Figure 2. Photograph of site of proposed accessory building, 205 15th Street, NE. Image: Sunny K. Petzinger.

Figure 3. Comprehensive Plan Proposed Amendments, Urban Design Element, Locally Significant View Corridors. (2018)

