

THE CASE FOR HISTORIC
DESIGNATION FOR BURLEITH

SOME FACTS ABOUT HISTORIC DESIGNATION:

- 1) You can still renovate and add-on to your house within the parameters of the zoning code. Historic designation says nothing about what you want to do inside. It says nothing about what color you want to paint your house. You can do almost anything behind your house.
- 2) The restriction is that what is visible from the street cannot be altered.
- 3) Doors and windows are affected, but there are approved modern materials. Yes, it likely costs more.
- 4) Yes, there are additional permissions required, but the offices are all located near each other. Officials said that 90% of the permits are approved with little hassle same day.



WHAT ARE THE OPTIONS?

- Our explorations have shown that there are two options for managing change: historic designation and the zoning code (=status quo).
- All other measures, such as having suggested architectural designs or a selection of approved building materials, would be completely voluntary. The community has no enforcement mechanism as we are not an HOA.
- HOAs are more stringent than historic preservation.



IDEALISTIC ARGUMENTS

- In my opinion, Burleith is beautiful. It is truly the village in the city. I love the older architecture and the nice details like brick facades and slate roofs. I like the trees and gardens; the proximity to services as well as to nature.
- Most of Burleith was developed as a planned and unified development in the 1920s by Shannon and Luchs. It was actually a model for other neighborhoods in communities across the country.
- Other portions of the neighborhood were built earlier or later—such as the north side of T between 38th and 39th by the same architect that did Foxhall Village—but almost every block has a cohesive look, traditional architectural styles with cohesive materials and rooflines. I think there is much worthy of preserving.



PRAGMATIC ARGUMENTS

- Under the status quo with the zoning code, there are no controls whatsoever on the architectural style of the house or the quality of materials used.
- The survey completed in spring 2017 showed massive majorities concerned with these two issues, as well as backyards being converted into parking lots and houses being razed.
- Again, there is nothing that the status quo can do about these concerns and there are no other mechanisms to manage things. Historic designation would address these issues.
- Novel styles and poor-quality materials can reduce the overall value of adjacent properties in a neighborhood.

SURVEY RESULTS

- 43% strongly or partially disapprove of the scope and scale of redevelopment. 46% strongly or partially approve. 9% are in the middle.
- 44% are strongly or partially in favor of third floors visible from the street; versus 42% who are strongly or partially opposed. The most frequent response was strongly oppose.

- On the other hand:
- 69% are very or partially concerned about the quality of construction materials-
-versus 18% who are not.
- 76% (versus 14%) are very or partially concerned about the quality of architectural design.
- 60% (versus 24%) are very or partially concerned about razes.
- 55% (versus 29 %) are very or partially concerned about rear additions reducing neighbor's sunlight.
- 52% (versus 32%) are very or partially concerned about building onto the front of the house.

- Secondly, historic designation provides a degree of certainty about what the house next to or near you will look like (at least from the front).
- There is much talk about “property owner rights,” which I fully support as a property owner.
- However, we also ought to think about the rights of the adjacent property owners. What happens to the value of that property when the size of the adjacent property is enlarged and altered?
- Most people buy into a neighborhood with the expectation that it will remain more-or-less what it is. They pay (partially) for a certain look.

- I also think there is actual financial and quality of life value from having a relatively cohesive look to any neighborhood. People like a unified design and a standardized roof line. If the unregulated pace of re-development continues, in however many years each property will have a completely different look and size. I think that will make Burleith less desirable to live and will depress prices.
- I would also add in passing that I personally and many other neighbors like living in older homes. I agree that they “don’t build them like they used to” and that I vastly prefer to see nice brick facades than beige or gray vinyl siding and exposed wood.
- If I wanted to live in a community with that look and feel like Gaithersburg or Reston, I would have chosen that aesthetic.

- I have heard that people and families in particular demand more square footage in this day and age. I don't disagree.
- But, this doesn't mean that every single buyer wants 3000-4000 square feet. Many families like mine have been more than happy with more modestly sized houses, which are also better for the environment I might add (lower heating and cooling costs).
- Besides, where is the evidence that massive houses are the only thing attracting buyers/families to the neighborhood?
- There is also evidence that members of the Millennial generation and baby boomers who want to downsize are not in the market for 3000+ square feet houses.

- I understand that some existing families want more space as their families grow. But, first most Burleith residents until recently have been able to get this space by adding onto the back—some even with three story additions.
- Also, in a recent count of about 34 redone properties, only about 5 were done by existing homeowners to expand. The vast majority have been re-done on spec by external developers. Some may then house families, but many not.
- Need I remind you that over 60% of Burleith homes are not owner-occupied. And all of these renovated houses have not affected the proportion at all (compared to 5, 10, 20 years ago). For instance, the beautiful renovation on Reservoir (including a 3-story rear addition) has a for rent sign up.

- Next, as one of the presentations from the April 11th meeting clearly showed, there are many houses that have been renovated, added onto (including 3 story additions) that have sold for top dollar in this market. These houses are compliant with historic designation.
- In fact, one presentation showed that many studies conclude that historic designation boosts or maintains prices (in a downturn). We should not ignore those findings.
- Anecdotally, has anyone ever heard complaints about historic designation depressing house prices in Capitol Hill, Dupont Circle, Foxhall or even Georgetown? I have not.

- Finally, my experiences with the current regulatory agencies (DCRA, zoning) have been very negative.
- They seem incapable of determining if an actual structure corresponds to the permits and designs approved. They seem incapable of even enforcing the rules on the books, let alone catching cheaters.
- Many neighbors have observed that individual homeowners are at a disadvantage compared to corporations or professional developers with their deep pockets and legal teams.
- Several agencies also seem completely predisposed to allowing all sorts of exemptions to the rules. I do not have confidence that the current regulatory agencies can or will do their jobs to uphold regulations.
- Yes, the Office of Historic Preservation is also a DC government agency, but they have clear standards and sanctions and do not appear to be in hock to an anything-goes ideology.



PHILOSOPHICAL ARGUMENTS

- In my opinion, a community is built around those who are committed to a neighborhood as property owners living in their home.
- I believe that a community is more than a collection of houses. It is more than a group of property owners. It is more than an opportunity to make money off of rents or to flip a house for a tidy profit (at least in the current market).
- Of course, just like everyone else, I want my property to appreciate, but sometimes one has to think long-term.

- Philosophers have come up in some of our conversations—Adam Smith for instance (although no one mentioned his masterpiece, “The Theory of Moral Sentiments,” which has a bit of a different message than “The Wealth of Nations.”) No one has explicitly mentioned Ayn Rand, although Randian arguments have surfaced.
- Indeed, I have often heard libertarian positions that “the government should not be able to tell a property owner what to do.”
- But, the government already does tell you what to do through the zoning code. For me the question is not if the government should tell you what to do, but how much and in what ways the government should regulate things.
- Besides, it is not just the government that affects your property rights. Other property owners do so all the time through their decisions about the look, size and maintenance of their adjacent properties. We are not a community of acreages and detached homes with massive yards. We are a rowhouse neighborhood with the vast majority of property owners abutting other structures. Others’ choices have a much more direct impact.

- I would like to mention Alexis de Tocqueville, author of *Democracy in America*.
- Among many brilliant points (such as the importance of local groups like ours with face-to-face interactions building trust), he also talked about self-interest.
- He differentiated between self-interest properly and improperly understood. Improper self-interest in his view is when someone thinks about maximizing their utility in the short term—how much money can I make tomorrow using whatever means are necessary.
- For him, proper self-interest, in contrast, is when someone thinks about the consequences of their actions on others, when they might take a little less tomorrow, for more and more steady returns in the longer run.
- I think historic designation is exactly what Burleigh needs for the long-term appearance, quality of life, and house prices of our community.

