

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**



December 24, 2009

Robert Diamond
6251 29th St NW
Washington, DC 20015

Dear Mr. Diamond:

I have concluded my review of your concerns over noise from the roof top equipment of the Knollwood Army Residence located at 6200 Oregon St NW in relation to BZA Order #17055. You have requested that my office take an action to enforce Finding of Fact #33 of that order. The Office of the Zoning Administrator has no authority to enforce Findings of Fact, only specific Conditions ordered by the Board of Zoning Adjustments as set forth in its published orders.

In regard to the noise related Condition in the order, I also find the rooftop structure to be in compliance with Condition 5, which states:

"The Applicant shall include sound absorbing material in the wall section of the mechanical penthouse, associated with the addition."

Based on the review of the statement of Donald Hilbert, Executive Director of the Army Distaff Foundation for Knollwood, the sound absorbing materials required in Condition #5 were installed in the mechanical penthouse in May 2008. Furthermore, the Army Distaff Foundation has taken additional steps to mitigate noise from the chiller.

As you know, Knollwood commissioned acoustical studies dated June 4 2008 from Miller, Beam, and Paganelli, Inc, and, from Henning Associates dated June 1, 2009. My review of these reports is that they conclude that the subject equipment is in conformance with the DC Noise Regulations. Furthermore the District's enforcement of the District's Noise Regulations is the responsibility of the District Department of the Environment [DDOE] not the Office of the Zoning Administrator.

Given this review, I consider this matter closed from further enforcement actions from my office. Please let me know if you have any further questions.

Sincerely, *Matthew Le Grant*
Matthew Le Grant
Zoning Administrator

cc: Leigh Johnson, DC Office of Zoning

941 North Capitol Street, N.E., Suite 2000, Washington, D.C. 20002
Phone: (202) 442-4576 Fax: (202) 442-4871

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Chevy Chase
Advisory Neighborhood Commission 3/4G
MAILING ADDRESS: P.O. BOX 6252 Northwest Station Washington, DC 20015

CHEVY CHASE OFFICE
5601 Connecticut Ave. NW
Washington, DC 20015
(202) 363-5803
FAX (202) 686-4366
E-mail uppernwdc@juno.com

FAX COVER SHEET**Telephone No (202) 363-5803****FAX No (202) 686-4366****Date:** Feb. 24, 2010**To:** Mr. Richard Neron**Organization:** Office of Zoning**From:** Allen Beach, Secretary, ANC 3/4G**Number of pages including cover sheet:** 6**Re:** Appeal**Message:** As directed

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