

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Advisory Neighborhood Commission 5C, Single Member District 5C07



Commissioner
James J. Fournier



BLOOMINGDALE
STRONGHOLD
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April 30, 2012

VIA HAND DELIVERY

D.C. Board of Zoning Adjustment
Suite 210
441 4th Street, N.W.
Washington, D.C. 20001

MAY 1
BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18340
EXHIBIT NO. 31

Re: Letter of Support for Application No. 18340

Dear Members of the Board:

We, the current and former ANC Commissioners representing Mr. Eugene Duda and the surrounding neighborhood in Bloomingdale, have been in close contact with Mr. Duda regarding his BZA application No. 18340 requesting a permit for a 10ft x 13.5ft addition to the second story of his home. For the reasons set forth below, we strongly urge the BZA to approve the permit.

It is our understanding that the addition does not increase the overall footprint of his home and does not increase the lot usage, which is currently under 70%. We also understand that the addition will be constructed in a manner that is in keeping with the character of the neighborhood as many neighbors have the same addition (if not larger) and that Mr. Duda plans to use materials identical to that of his existing home, red bricks. Further, the addition will not disturb his neighbor's access to light, air or view and will not impede on their privacy.

We understand that while not necessary or required by law or regulation, the BZA would ideally prefer to have a vote from the ANC approving an addition such as this one. In this instance, however, such a vote was not possible despite our collective best efforts. Nevertheless, we hope that the BZA will approve Mr. Duda's permit without delay. We understand that notice of the proposed addition has gone out to all or Mr. Duda's neighbors within 200 feet and that none of them have registered a complaint. We also know that Mr. Duda has actively engaged his neighbors on the matter, educating them of his intent and soliciting their support. We have seen copies of the letter of support signed by a great many of Mr. Duda's neighbors and our constituents (a copy has been made available to the file record). Indeed, to our knowledge, there have been no complaints concerning the proposed addition, which is not surprising.

Board of Zoning Adjustment
District of Columbia
CASE NO. 18340
EXHIBIT NO. 31

Page 2

D.C. Board of Zoning Adjustment

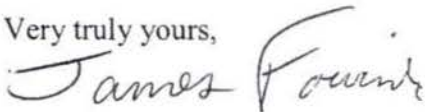
April 30, 2012

copies of the letter of support signed by a great many of Mr. Duda's neighbors and our constituents (a copy has been made available to the file record). Indeed, to our knowledge, there have been no complaints concerning the proposed addition, which is not surprising given that numerous homes in the neighborhood have similar or larger additions on identically sized lots.

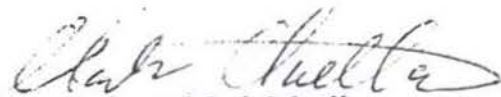
Finally, we have concerns of disparate treatment of homeowners by the DCRA and the message that sends to those homeowners that want to "play by the rules." We have seen evidence that the DCRA has not required BZA hearings of others in our neighborhood that were seeking similar, if not larger additions, on identical lots. We have also seen evidence of illegal additions brought to the attention of the DCRA with no enforcement action to follow. Mr. Duda has been seeking this permit since July of last year while others have had no delay whatsoever. Mr. Duda's experience worries us that others will seek to avoid the proper process and instead embark on illegal construction. Mr. Duda has followed every requirement, has received no complaints from his neighbors, and we see no legitimate reason to cause him further delay.

For all of the reasons mentioned above, we reiterate our collective call for you to immediately approve BZA Application No. 183~~740~~. We look forward to having a successful outcome proving to others that the process is legitimate and a worthwhile endeavor.

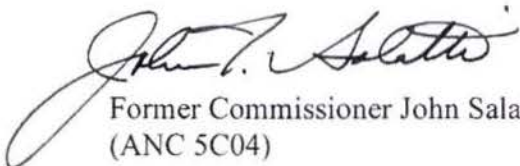
Very truly yours,



Commissioner James Fournier
(ANC 5C07)



Commissioner Mark Mueller
(ANC 5C04)



Former Commissioner John Salatti
(ANC 5C04)