

Lovell Walls
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Washington, DC 20019
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April 18, 2012

Richard S. Nero, Jr.
Deputy Director of Operations, Office of Zoning
Board of Zoning Adjustment
Government of the District of Columbia
441 4th Street, NW
Suite 200/210-S
Washington, DC 20001

Reference: Application Number 18341; Application of M. Sikder

Dear Mr. Nero,

This letter is submitted to express my **strong objection** to the application of M. Sikder in the above application submitted for variances to build a one-family detached dwelling, at premises 4209 Grant Street, NE (Square 5092, Lot 31).

This is the second time in two years Mr. Sikder has submitted an application for variances to build on the 4209 Grant Street, NE property. Application 18205 was the first application submitted for variances to build on the 4209 Grant Street, NE property, and a copy of my April 30, 2011 letter sent to the Board (unsigned copy) is included for reference to note my objection to his application. This, however, did not stop an unlicensed tree removal company (hired by Mr. Sikder's company) from removing trees from the 4209 Grant Street, NE property in violation of the Urban Forest Preservation Act of 2002 (which requires community notification prior to removal of trees on public and private land and a special District Department of Transportation permit) in advance of the hearing to consider Application 18205.

Mr. Sikder's application for variances (for Application 18205) was denied by the Board on July 12, 2011. Some of the reasons for Board denying the application were:

- 1) Constructing the proposed dwelling on the lot would be a detriment to and potentially causing an adverse impact to the public (and the community);
- 2) The lot is too narrow and small for construction the proposed dwelling;
- 3) Mr. Sikder not trying to meet with the proper ANC Commissioner and has not tried to work with the community on this project.

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18341
EXHIBIT NO. 25

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grandparents (John Bailey passed in January 1972 and Ada Bailey passed in January 1985) and other family members, and my recollections visiting here as a child/teenage & living here more than 15 years, the 4209 Grant Street, NE lot has always been vacant with multiple owners, with liens placed on the property by the District of Columbia government as recent as 2007-2008. The District of Columbia government incorrectly identified my mother and I as the property owners during that period, having a sign on the lot listing us as the property owners and having at least one employee from the District of Columbia, Office of Tax and Revenue knocking on our door asking whether we owned the lot; my wife showed the employee our tax assessment for 4213 Grant Street, NE and the sign was subsequently taken down. My grandfather was approached multiple times by the various owners of the 4209 Grant Street, NE lot with (verbal) offers to purchase the lot. He turned down each offer because (based on my discussions with my mother; I did not ask my grandfather about the lot as a 9-10 year old child) he did not have any use for the lot and because the lot was used as an illegal dumping area by residents of the apartment buildings behind the lot and sometimes others traveling through the alley (The illegal dumping activity continues to occur on the lot to this day by the same parties).

Apparently, the applicant (M Sikder) is anticipating approval of the application for the multiple variances/exemptions to construct the single-family dwelling on the 4209 Grant Street, NE lot because on Thursday morning April 21, 2011 (between 6:45 and 7:15 am) a tree cutting company (hired by the applicant) began removing trees from the lot. Two trucks, one a white truck with a hydraulic lift and the other a green truck identifying the name of the company (**Jacks Tree Service. Phone Number: (202) 277-1750; DOT 943415**). The ANC Commissioner for my neighborhood (Willette Seaward) drove by the lot on her way to work at 7:35 am as one of the workers asked me to move the truck (and minivan) from my driveway. She asked the worker if they had a license to remove trees from the lot. She got no response from the worker, only some inaudible mumbling as the worker walked away. Both of us proceeded to call Ms. Atkins from the Mayor's Office to report on the potential illegal tree removal activity on the lot. Exhibit 2 is a picture that I took from across the street from the 4209 Grant Street, NE lot as Ms. Seaward was calling Ms Atkins office from her car.

Our Councilwoman (Yvette Alexander) was also contacted and Mr. Muslim, the Director of Constituent Services from her office was at the lot at 7:50 am. As he began to ask for additional licensing information, four of the six workers at the lot quickly fled. Directly afterwards, one of the remaining workers and Mr. Muslim engaged in a heated discussion before the arrival of the Metropolitan Police Department and District Department of Transportation (DDOT), Urban Forestry Administration. Later that morning Mr. Muslim and a representative from DDOT, Urban Forestry Administration reported that the tree removal was in violation of the Urban Forest Preservation Act of 2002, which requires community notification prior to removal of trees on public and private land and a special DDOT permit; they also stated that the four workers who fled were illegal immigrants. As of today, there has not been any additional tree removal on the lot, however the debris from the tree removal activities of Thursday April 21, 2011 remain (Exhibits 3 & 4). If I had not been working from home on Thursday April 21, 2011 all of the trees (many of them still healthy) probably would have been removed and my home potentially could have been damaged from the (illegal) tree removal operations on the lot.

In closing, the lot owned by M. Sikder is too narrow to build a single-family dwelling; it seeks too many variances/exemptions to build a dwelling in keeping with the designs of the homes of the Deanwood area, notably the potential of the proposed dwelling facing 4205 Grant Street, NE; to my understanding and in my (brief) research of the Deanwood area, there are no other dwellings that have their front entrance door(s) facing an alley.

Additionally, for your Board to approve this application would be a slap in the face of both my family (**where I now live with my wife and sons, four generations have lived in this home going back to the mid-1940s**), and the residents of the Deanwood community. The actions of the owner of the 4209 Grant Street, NE (Square 5092, Lot 31) with the illegal tree removal activities on Thursday April 21, 2011 (either knowing or not knowing the laws of the District of Columbia) clearly demonstrates the refusal to follow the laws of the District of Columbia and respect quality of life of the citizens of my community, many of whom were here before the purchase of the lot by the applicant. For the reasons stated in this and the previous paragraphs, I formally state my strong opposition to Application Number 18205 (Application of M. Sikder) and respectfully urge that the application to construct a single-family dwelling be denied.

Respectfully Submitted

Lovell Walls

Lovell Walls
4213 Grant Street, NE
Washington, DC 20019
(202) 398-4470

April 30, 2011

Jamison L. Weinbaum, Director, Office of Zoning
Government of the District of Columbia
441 4th Street, NW
Suite 200/210-S
Washington, DC 20001

Reference: Application Number 18205; Application of M. Sikder

Dear Mr. Weinbaum,

This letter is submitted to express my **strong objection** to the application of M. Sikder in the above application submitted for variances to build a one-family detached dwelling, at premises 4209 Grant Street, NE (Square 5092, Lot 31).

This letter is in response to the letter received by my mother from your office. My mother, Gwendolyn B. Walls owns 4213 Grant Street, NE, the property next to the 4209 Grant Street, NE lot. Our family has owned the 4213 Grant Street, NE property since my childhood with my grandparents, the late John W and Ada Bailey, being the original owners, purchasing the home & property in the mid-1940s. This house has been my second home since childhood and I have resided here since the mid-1990s.

The attached picture (Exhibit 1) from a Google Maps (from mid-October 2010) shows the location of 4209 Grant Street, NE (the property for the referenced application) in proximity to adjacent properties on the 4200 block of Grant Street, NE. 4209 Grant Street, NE is the vacant lot in the center of the picture with the trees on the left and right-hand side (beside the alley), with the dark gray/tan vehicle in front of the lot. My house, 4213 Grant Street, NE, is to the left; the yellow house with the gold/yellow truck in the driveway. To the immediate right of the 4209 Grant Street, NE property is the alley, and on the opposite side of the alley is 4205 Grant Street, NE.

M. Sikder never approached neither my mother (nor I, as the occupant of this property), nor the owner of 4205 Grant Street, NE to explain how a one-family detached dwelling could be properly built (or more appropriate, squeezed into) onto the 4209 Grant Street, NE lot. The attached Google Map picture visually displays it is impossible to build a one-family dwelling on this property regardless of the variances requested/sought for by M. Sikder without affecting the 4213 and 4205 Grant Street, NE properties. From speaking to my mother, seasoned (older) family members who stayed here with my

I purposely waited until today to prepare my letter of objection to see whether anything with Mr. Sikder's approach to seek variances under this application would have changed since last year. As of today, his approach to seek variances for building under this application has not changed. Unfortunately, his plans and drawings submitted to build on the 4209 Grant Street, NE property have not changed and his unwillingness to meet with our ANC Commissioner (Ms. Willette Seaward) and our community has not changed.

To give a visual display of the property Mr. Sikder is attempting to seek variances for and the type of dwelling he is proposing to build on that property, I have included the following pictures:

- 1) 4209 Grant Street, NE property (Pictures 1-4); and
- 2) 617 47th Street, NE. This is a newly constructed dwelling in our community which looks similar to the way the house in the drawings submitted to build on the 4209 Grant Street, NE property would look (if it is constructed; Pictures 1 and 2).
- 3) 4464 Grant Street, NE (the approximate address per the Google Street View on the DC Zoning Map; DC OZ). There is not a house number on the structure however this structure has been under construction by a contractor since at least August 2009; the previous house on the property was destroyed in a fire. The contractor stopped working on the home more than a year ago, and since the work has stopped, a number of the windows have been broken. If this house is completed by the contractor, it will also look similar to the way the single-family dwelling in the drawings submitted to build on the 4209 Grant Street, NE property would look (if it is constructed; Pictures 1 and 2).
- 4) 618 44th Street, NE. This house is one-half block from my home, was constructed about 2 years ago, and (is also) similar to the way the single-family dwelling in the drawings submitted to build on the 4209 Grant Street, NE property would look (if it is constructed; Picture 1).

The pictures of 617 47th Street, NE show that this lot is larger than the 4209 Grant Street, NE which Mr. Sikder is proposing to build on. Also this style dwelling, with the front entrance facing the alley towards my neighbor's (Tawanna Littlejohn) 4205 Grant Street, NE home, is not in concert with the designs of the homes of the Deanwood area. Furthermore a dwelling of this size (or any dwelling) on the 4209 Grant Street, NE property will be an eyesore for our street and our community. Currently we have at least four houses for sale (4218 Grant Street, 4035 Grant Street, and 4047 Grant Street), and one house for rent (4127 Minnesota Avenue) in our immediate vicinity. These homes have been on the market anywhere from 2 months (4127 Minnesota Avenue) to more than 12 months (4218 Grant Street). We do not need another home, especially one that is not an already pre-existing home which potentially will be unsold for months (if ever) and potentially lowering the values of the pre-existing properties in our community.

Mr. Sikder's unwillingness to meet with the ANC Commissioner and the community appears to have not changed with this application submission either. Mr. Sikder did contact Ms. Seaward (via email) in early February and informed her that he was going to apply (again) for variances to build on the 4209

Grant Street, NE property. He also stated that he wanted to present his plans to the ANC Commissioners and community, and was informed that he would be on the agenda to present his plans at the April ANC Meeting (last Tuesday April 10, 2012, at the Metropolitan Police Department, Seventh District Precinct). However, Mr. Sikder did not appear at the meeting, and (to my understanding) did not contact Ms. Seaward to inform her that he was running late or apologized to Ms. Seaward for not attending the meeting. I attended the April 10, 2012 meeting and can also confirm that the meeting was extended in the event of Mr. Sikder's attendance of the meeting.

In my opinion, the examples stated above and Mr. Sikder not approaching my family to explain his plans to build at 4209 Grant Street, NE clearly demonstrates Mr. Sikder's unwillingness to work with and meet with the community, and to "play by the rules". I am stating "play by the rules" because this because the Public Notice for the Board of Zoning Adjustment meeting sign, for the May 1, 2012 meeting, was posted on Friday April 13, 2012; a little more than 2 weeks before the hearing. The Public Notice meeting under Mr. Sikder's previous application (Application 18205) was posted at least 6 weeks in advance of the May 10, 2011 meeting.

This application for variances to build on the 4209 Grant Street, NE property should be denied for the same reasons Application 18205 was denied by the Board on July 12, 2011. His plans to construct on the property have not changed in any way/shape/form, and as much as they were unacceptable last year, they are also unacceptable today. His unwillingness to meet with the ANC Commissioner for this community shows a total lack of respect for our community, the residents in our community, and our quality of life. With this application process it seems as if Mr. Sikder is deliberately trying not to follow the formal process for seeking variances on this property, in an attempt to "get his way" to build on the 4209 Grant Street, NE property.

In closing, for the reasons stated in this letter, once again I formally state my strong opposition to Application Number 18341 (Application of M. Sikder) and respectfully urge that the application to construct a single-family dwelling be denied. For the Board to approve this application would be a slap in the face of my family (who has owned this property since the mid-1940s) and the residents of the Deanwood community. Our community does not want or need any more structures/homes which look similar to what has been documented (and sent via photographs in this letter) for 617 47th Street, NE, 4464 Grant Street, NE, or 618 44th Street, NE. As tax paying citizens of this city, my family, my neighbors, and our community deserve better.

Respectfully Submitted

A handwritten signature in cursive script that reads "Lovell Walls". The signature is written in dark ink and is positioned above the printed name.

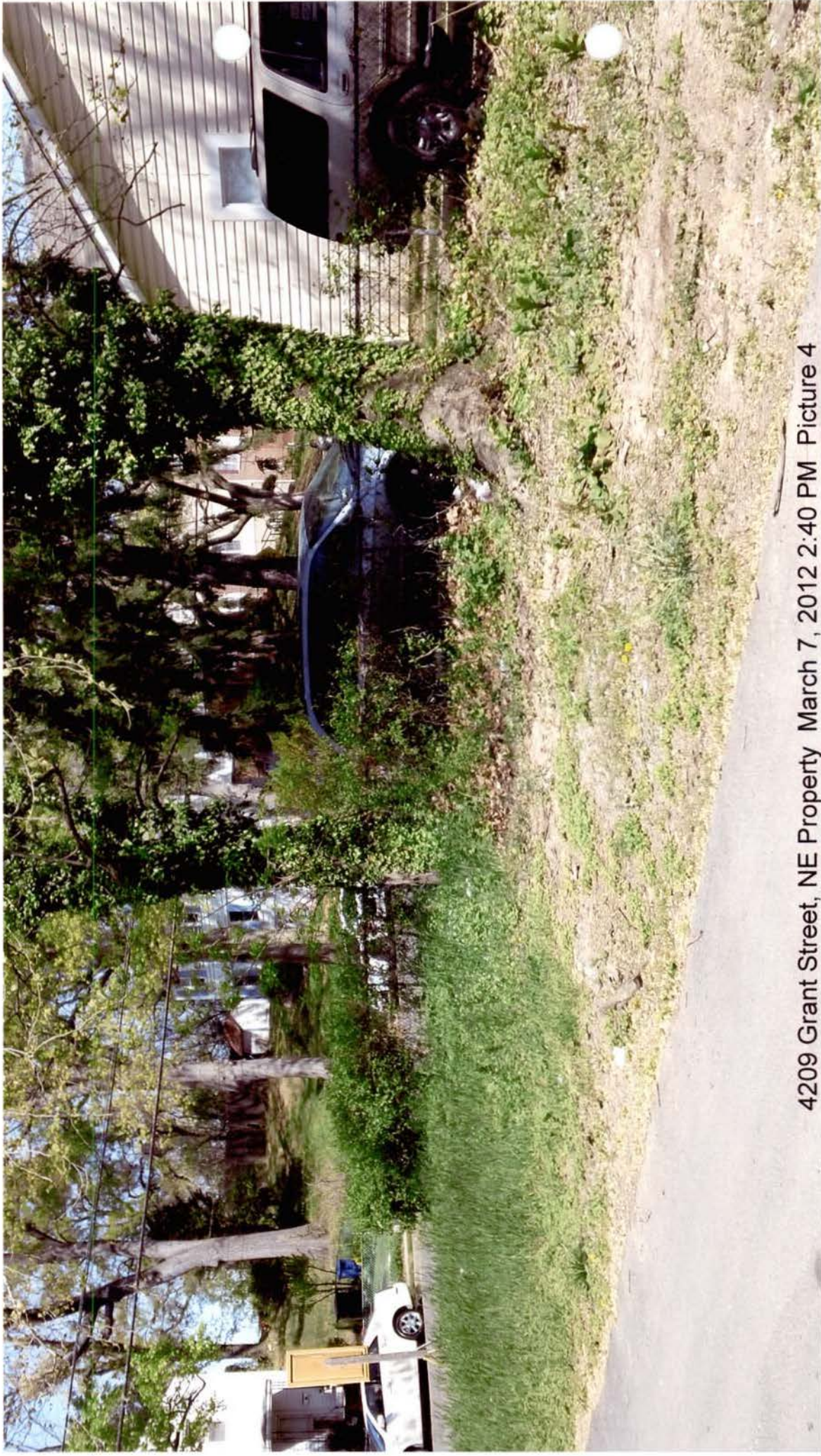
Lovell Walls



Street, NE 7:10



4209 Grant Street, NE Property March 14, 2012 5:48 PM Picture 2



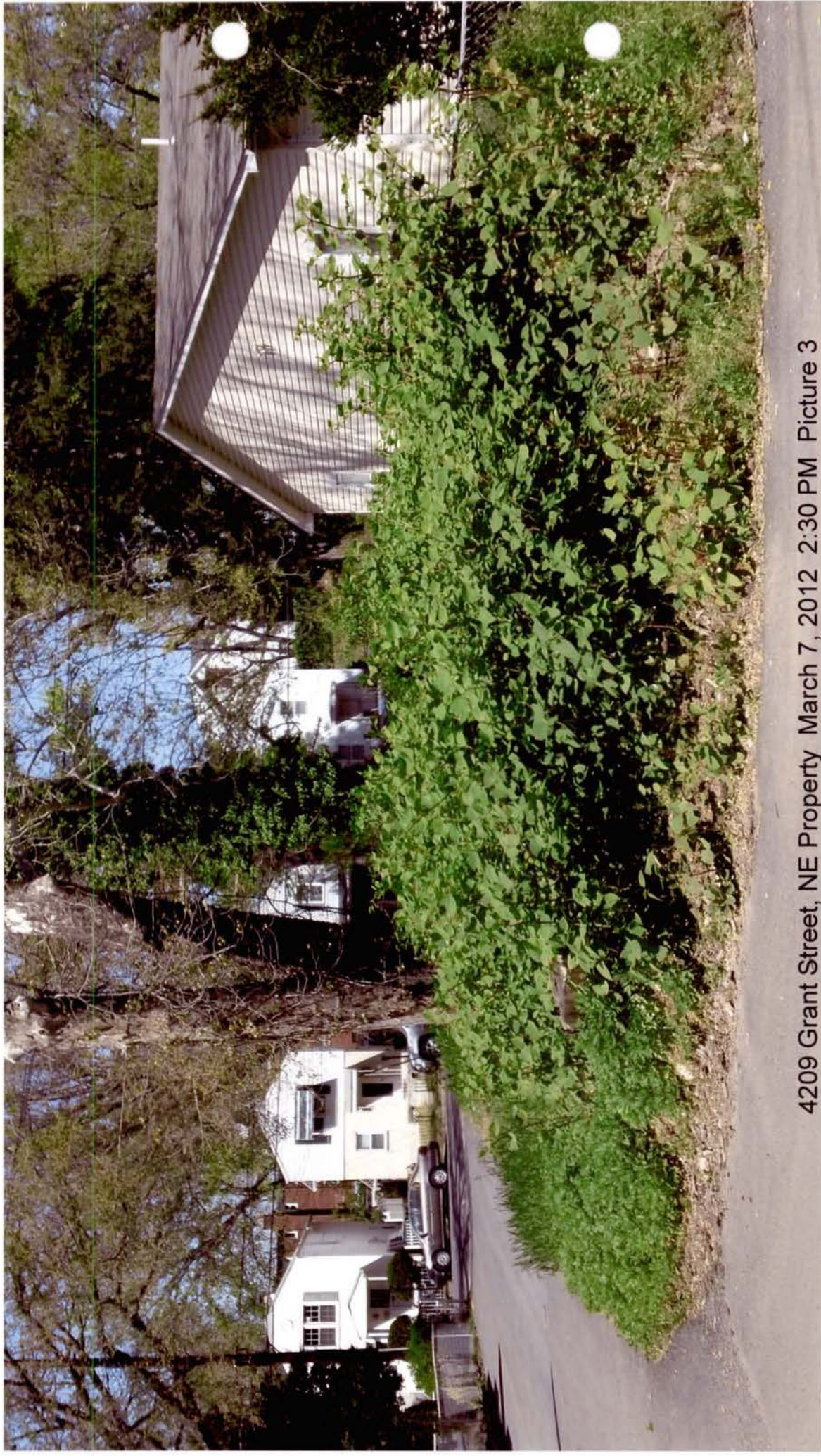
4209 Grant Street, NE Property March 7, 2012 2:40 PM Picture 4



617 47th Street NE Property April 6, 2012 1:53 PM Picture 2



4464 Grant Street, NE 6:04 PM April 17, 2012 Picture 1



4209 Grant Street, NE Property March 7, 2012 2:30 PM Picture 3



617 47th Street NE Property April 6, 2012 1:52 PM Picture 1



4464 Grant Street, NE 6:06 PM April 17, 2012 Picture 2