

Jane Mulvey
327 Constitution Ave. NE
Washington D.C. 20002

July 12, 2012

Re: Application No: 18424
(Includes 3 Attachments)

Dear Mr Nero,

My name is Jane Mulvey and my husband (Dale Harrison) and I have resided at 327 Constitution Ave. NE for 10 years. We are concerned about a developer who is seeking a Special Exception to the Zoning regulations for a property at 124 4th. St NE. (BZA 18424). The developer wants to build a 12ft X 12ft two story addition. The north side of his addition would fully enclose my back property line if built per his proposal. **Exhibit 1** shows the proposed addition in relation to my back property line. The developer is seeking an expedited review from the DC Zoning Commission. My husband and I strongly oppose his request for an expedited review and we are requesting BZA 18424 to be removed from the Expedited Review Calendar and that a public hearing should be scheduled to address the issue and more fully explore the proposal in relation to our concerns discussed below.

Specifically, the developer's description in his application of the impact of his proposed structure on 327 Constitution Ave. is incorrect. He states it does not adversely affect us, but in fact it does adversely affect our air and light available. To better communicate the issues, I am attaching two pictures of my back yard to show you where the proposed addition will go across my back property line, it would replace the entire back fence to the right of my shed currently stands (see **Exhibit 2**). It would also replace the gate in our neighbors yard that is currently there for an emergency exit. The proposed addition will block my view of blue sky and trees and other greenery and affect the natural lighting in my back yard. On **Exhibit 3** I have marked with an X over the area I will no longer view from my sitting area on my patio. This will adversely affect the airflow as it basically closes in my back yard given the positions of the other structures and fencing near my house. In addition, for the developer to construct a foundation for the addition that meets building codes across my back property line, I suspect he will have to dig into my yard and trespass on my property to complete the work. This would adversely affect some of the plantings that I have in place, many of which are over 10 years old. I also have a fountain in the back corner that would be adversely affected.

We respect the building codes on Capitol Hill which are in place for a reason; they are there to protect the neighbors and neighborhood from excessive growth beyond the scope of the community. As someone who owns the smallest house on the block, I understand the interest in gaining a more space as I too would have to get a variance to build out my house. However, we have not sought such a variance as we feel it is important to respect the zoning laws as this is the arrangement under which we bought our homes. The developer, on the other hand, is not planning on living in the house and instead bought a smaller property at a lower price in hopes of gaining a variance to expand in order to gain a higher price and thus higher profit. We strongly believe it is in best the interest of the neighborhood to retain some of the smaller, and more affordable, quaint houses.

Given my concerns cited above, my husband and I do not think this proposal should be on an expedited review process, and there should instead be a full public hearing to fully consider our concerns and the concerns of our other neighbors who also are adversely affected. I would like to testify at a public hearing if it is granted.

Sincerely,



Jane Mulvey

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18424
EXHIBIT NO. 26

Board of Zoning Adjustment
District of Columbia
CASE NO.18424
EXHIBIT NO.26

RECEIVED
D.C. OFFICE OF ZONING
2012 JUL 12 PM 12:51

Landtech Associates Inc.

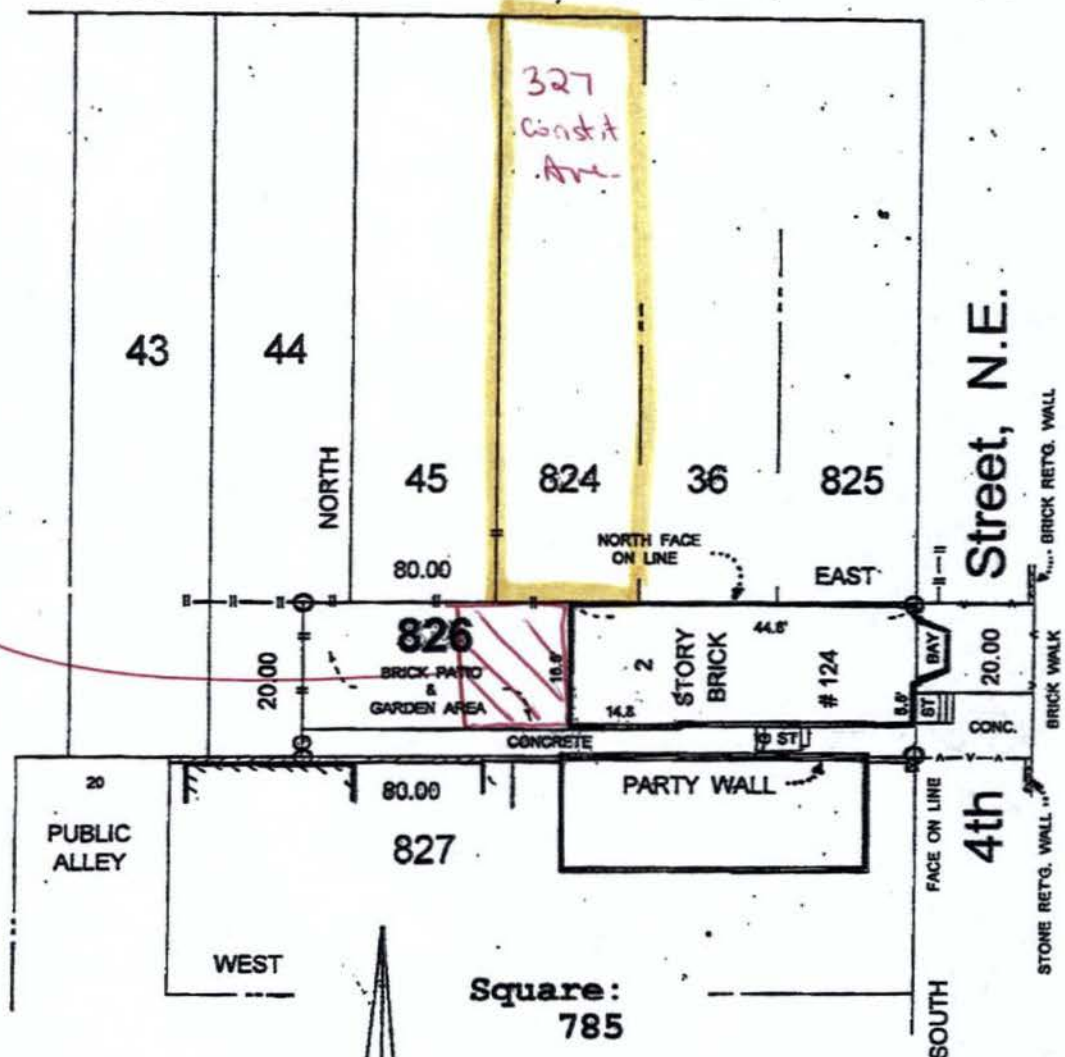
10260 Old Columbia Road Rivers Center-Suite J

Columbia, MD 21046

Phone: 410-290-8099 Fax: 410-290-8299

NOTE: NOT TO BE USED FOR ISSUANCE OF PERMITS

Constitution Avenue, N.E.



Location Survey:

124 4th Street, N.E.

Washington, D.C.

LOT:	826	SQUARE:	785
LIBER:	Per Assessor's	FOLIO:	Records
DATE:	12/15/11	SCALE:	1" = 20'
CASE NO:	11231	FILE NO.:	LT 2112401

Certification : I hereby certify that the position of all existing visible improvements on the above described property has been carefully established in relation to the apparent title lines and that, unless otherwise shown, there are no visible encroachments. This is not a property line survey and should not be used for the erection of fences or any other improvements or for permit applications. (No title report furnished)

Graden A. Rogers

GRADEN A. ROGERS - D.C. Land Surveyor Lic. LS990374

Exhibit 2

Existing structure
124 4th st

Proposed
structure
12 x 12 addition



Exhibit 3

