

Dec 18, 2013

Statement in opposition to BZA case #18638

Celia Davis 1515 15th St NW #408, Washington DC 20005

My husband, Mike and I own unit 408 at the Metropole

Our condominium and terrace abut the development site addressed in this case. We sent a letter to the BZA board opposing the requests. I have distributed a photograph of our condominium and the development site to help explain the impact.

When we learned of the project early in the summer we emailed the developers. We hosted them at our Metropole home on July 5th. We discussed the project. No mention was made of variance and special exception requests. We were led to believe the design was still in process. The truth is that they had already presented to the ANC.

The first time I saw detailed plans was just prior to the original scheduled BZA hearing in October. The developers' lack of communication to neighbors during the spring and summer created the need for my opposition at this hearing.

I have read tutorials on the BZA website and learned the ANC report carries great weight. I emailed Walt Cain, our ANC commissioner. He told me the case had been presented, approved, and their report submitted in the summer. I am concerned that the Metropole owners had no voice in that process.

I hosted a meeting in November with the developers. Since the October hearing postponement, they made design changes that were beneficial to their case, and addressed some concerns of Metropole owners. However, the changes raised new issues regarding height and depth of the west wall. Regarding the parking relief requested, they said that a transportation study had been done. I have not seen it and am not sure it was filed with the BZA.

In November, the developer proposed a settlement agreement to the Metropole. Construction issues are important to my husband and me given our proximity to the site. As part of that negotiation, the Metropole asked that the original design be used. The developer contacted me with a change to their November design, as they did not want to revert to the original. After review, the Metropole Board decided that the agreement did little more than recite what is required under the building code and I agree.

This past week, the developer has called me three times to request that I write a statement for this hearing on their efforts to address concerns. I declined. Monday I received a message saying that I owed them this letter, and they were very upset about the negotiations and the expenses they incurred for attorney and architect fees (see attached). It is messages like this and lack of communication prior to our opposition that lead the Metropole Board and me to question the experience and judgment of these developers. I am at this hearing to protect my home from what I see as an overreach by the developer. I would like the board to know that despite my opposition I have always dealt respectfully and encouraged communication. The developer wants to present themselves as concerned and compromising, but as you can see, that has not been my experience.

Mike and I have confidence that, with compromise, a building design we agree with can be developed. I ask the board to postpone their decision or deny the requests until the developers prove that this site is unique enough to support their need for BZA relief, show that it will not adversely affect nearby residences, and include a construction management plan. I also request that the ANC report not be given great weight as the developers and ANC made no effort to inform neighboring residences of this project.

Thank you for your consideration

JAN 7

BOARD OF ZONING ADJUSTMENT
District of Columbia
Board of Zoning Adjustment
District of Columbia
CASE NO. 18638
EXHIBIT NO. 44
CASE NO. 18638
EXHIBIT NO. 44

< Messages (1) Gregg

Contact

Today 4:10 PM

Celia I spoke to our attorney's today and our architect on a conf call.? We all really feel that you owe us at least a letter stating how we worked with you to try to alleviate your concerns . That is not a letter of support. I think you know this as well.

Brook and I are both very upset with the situation between the three of us and how things occurred over the last 2 weeks



iMessage

Send

< Messages Gregg

Contact

We feel like we were screwed after spending over \$30,000 on architect fees and attorney fees

To satisfy your concerns

And the boards.



iMessage

Send

Documentation for BZA hearing re; case# 18638
Application of Rosebusch LLC and Gregg M. Busch
submitted by Celia and Mike Davis, owners
1515 15th St.NW, Unit 408

Notes:

- 1) Development site from alley
- 2) Our LR/DR windows
- 3) Window bedroom 1
- 4) Window bedroom 2
- 5) Our 5th floor terrace
- 6) Busy corner of alley
wall separates parking garage entrance
and Metropole building loading area/
garbage&recycling pickup
- 7) Planned parking area for new building

