

BZA case number: 18927

Letter in Opposition: Mark Cruce (owner), 819 8th St NE Washington, DC 20002

After having carefully reviewed and considered the proposed changes to the project submitted by Mr. Rodriguez, I remain steadfastly in opposition to this project moving forward. My neighbor, Dave Sanok, in a previous letter did a masterful job of outlining all of the reasons that I, along with essentially all of the surrounding neighbors oppose this project. Still, I want to reinforce Mr. Sanok's message vis-à-vis the zoning code as written:

Zoning code: Chapter 11, 223.2 states;

The addition or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

- (a) The light and air available to neighboring properties shall not be unduly affected;
- (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;
- (c) The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage; and
- (d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.

This is not your typical 'Home Improvement Project' or 'Addition'. While Mr. Rodriguez's home already has a basement apartment suite that has been rented out on the open market, he is attempting to build a second rental unit literally on the "backs" of his neighbors.

What he is proposing is the demolition of an existing structure and the construction of a 2 story /2 bedroom house in an alley. My backyard is directly adjacent to Mr. Rodriguez's property and I can say that without reservation, this project absolutely FAILS miserably with respect to **Chapter 11, 223.2, subsections A-C:**

- A- It will completely dominate the view from the back of my home, cast shadows and create a "closed-in" feeling. There is no doubt that this project, if carried out, will significantly diminish the ability for me to enjoy my property (see attached Photo)**
- B- There will be a 2 bedroom house looming directly above my backyard private space. No matter how they adjust the windows, there is no way that the occupants of this space will not be looking directly into the rear of my home and or down into my private backyard space**

C- The huge size of the structure facing a common alley way of a width not more than 10Ft across will be completely disproportionate to ANY other structure in the neighborhood and will be an ‘albatross’ looming over everyone

Furthermore, as Mr. Sanok states in his letter, the property in question is ALREADY 11% larger than it should be under existing code. Now he wants to tear down an existing structure, and instead of moving towards compliance, wants to ask for an exception above and beyond the one he already has? That doesn't seem reasonable when the neighbors will be negatively impacted.

Additionally, all of the homes surrounding this project are over 120 years old. What assurances will there be that this project and the concomitant demolition of an equally old, solid Brick structure, will not damage our homes? For example, past renovation projects in the neighborhood have impacted my foundation and are directly responsible for my basement flooding and causing close to \$15K of damage!

Also, when looking at the lot, where will the construction be staged from? The only possibility is in the alley itself. I know enough about construction in DC that as soon as this thing kicks off, they will be going for a waiver to close off the alley to regular traffic—they would have no choice. Mr. Rodriguez's lot—not surprisingly considering it is already over built-has NO SPACE whatsoever to stage the equipment and supplies required. Does this mean that for the 6-9 months of construction I will be unable to use my off street parking?

And what will it do to my property value to have this huge, looming HOUSE in my backyard dominating my view, casting shadows and closing us in generally. I believe it will negatively impact it ... and this, along with all of the other issues outlined is why my wife Cindi and I are completely opposed to this project.

Lastly, is it a reasonable expectation that an individual be given extraordinary relief from existing zoning codes to build **a second rental unit** on a lot that is CLEARLY TOO SMALL for such a structure? The opposition of the impacted neighbors is clear and well documented? I hope the board agrees that this project, especially considering its negative impact on surrounding properties, is in fact not reasonable...

Respectfully,

Mark Cruce