

Board of Zoning Adjustment

FORM 141: Intervenor Status Request Jane Bush

Matter: BZA Appeal No. 18991 (John Stokes/ANC4C)

Hearing Date: September 15, 2015

To the BZA Board:

Pursuant to Section 3106.2 of the Rules of Practice and Procedure, I hereby request to participate as an intervenor in the above appeal relating to the permits issued for 1521 Varum Street, NW, aka Varum Lofts or 1521 Lofts. My name is Jane Bush and I live at 1516 Webster Street, NW, Washington, DC. I am able to produce/present images, architectural renderings and written testimony to support my party status.

INTERVENOR STATUS CRITERIA

1. WHAT LEGAL INTEREST DOES THE PERSON HAVE IN THE PROPERTY?

- I am the owner of 1516 Webster Street, NW which faces the subject property of 1521 Varum Street, NW.

2. HOW WILL THE PROPERTY OWNED OR OCCUPIED BY SUCH PERSON, OR IN WHICH PERSON HAS AN INTEREST, BE AFFECTED BY THE ACTION REQUESTED OF THE COMMISSION/BOARD?

- I am the owner of the recently renovated (2012/2014) residence located at 1516 Webster Street, NW, which is approximately 18 feet from the proposed outdoor four car parking lot and exit door for Varum Lofts/1521 Lofts, a seven unit building, which will face the church parking lot. My property is in the direct line of demolition/construction on the plats/plans for Varum Lofts/1521 Lofts.
- While the following issues fall under Building Code 14-12, the construction for Varum Lofts/1521 Lofts will require extensive demolition and excavation which will affect my quality of life, air and light, privacy and health; the neighborhood will also be directly affected. DCRA has not issued a raze permit, nor do there seem to be plumbing, mechanical and electrical reviews for this project. According to the plans, provisions have been made for work trucks to be hosed down for the removal of

- toxic waste, the job site is to be hosed, and dikes to be built for water run-off, but nothing is in place to protect the residences, and businesses, which will be directly affected by the toxic dust and flying debris. (There is no indication as to where these dikes will be built, and where the truck hose-down location will be, but this is a real danger for the entire neighborhood.) Sewage, dust and building debris could back up into the basement of my home. Dump trucks hauling 3300 square feet plus of earth will be using the alley, and that dirt will be blowing into my yard.
- I am extremely concerned that my house could sustain major damage to the foundation, skylights, bath and basement tile work, and quality back yard pavement by this excavation work.
 - With the introduction of cranes, dump trucks and earth removal machinery to the job site, my telecommunications lines will be severed as they run above and over the service alley to my house; I am dependent on these lines.
 - A new alley or walkway will be created which will connect Webster Street to Varnum Street, via the service alley which runs from Webster Street, creating a constant flow of foot traffic and loud noise at all hours and creating a severe security breach for my property and for the neighborhood. This new passage or open alley way, running parallel to St. George Antiochian Church parking lot, from Varnum to Webster Streets, effectively changes the footprint and impacts the layout of the neighborhood in negative ways, creating a very real threat to security.

3. DESCRIBE ANY OTHER RELEVANT MATTERS THAT DEMONSTRATE HOW THE PERSON WILL LIKELY BE AFFECTED OR AGGRIEVED IF THE ACTION REQUESTED OF THE COMMISSION/BOARD IS APPROVED OR DENIED.

- The design of this apartment building is not in keeping architecturally or in size to the rest of this neighborhood. Twelve properties will be directly affected by the balconies, windows, exit doors and roof top decks and HVAC systems of this proposed building.
- There will be no rear or side yards, there will no visual or architectural relief, there will be a crowding effect caused by the open air trash cans, open parking lot, and open air bike park. On one side alone, signage, 36 windows, six double doors, one entrance door and 11 balconies are going to face the parking lot of St. George Antiochian Church creating an entirely new, and very loud, cityscape. No green area has been designed for a size of this building, which is not in keeping with 11-14.
- Currently, per the original plans, the house situated on the lot of 1521 Varnum measures 1163.4 square feet; this new apartment building will measure 3130.7 square feet – 2.69 times larger than the original footprint. Demolition and

excavation of 3291 square feet with dirt removal will cause major damage to neighboring residences and create serious health hazards, noise, dirt, disruptions to city services and inconvenience.

- Parking on Webster Street will be lost as renters and visitors will use the street and alley to park their vehicles and bikes.
- As many as 50-100 people could live in this proposed apartment building at any time, dramatically increasing the population and altering the residential fabric of the neighborhood.
- In a neighborhood where conversations carry and one can hear a pin drop, the noise alone emanating from this building (HVAC systems, voices, radios, TVs, music, cars, alarms) will carry and be amplified by the surrounding buildings, making it unbearable to live in peace and quiet in close proximity; 16th, Webster and Varnum Streets would all be affected by the severe increase in noise and light pollution. My home will no longer be my sanctuary; I could lose loss of use while demolition and construction takes place. It could take years before this building is complete.
- The building is not in keeping with the purpose of the applicable zone district nor in the best interests of the neighborhood. It will have a destabilizing effect for this residential neighborhood. Under the new 14-11, there is the possibility of an entire block of homes shifting to apartment buildings, which would upset the integrity and plans for the preservation of single family residences in the R-4 Residential District and create urban blight.
- DC government offers no services to assist residents and property owners when we sustain property damage caused to our properties by builders cutting corners, preferring to recommend that we work through the legal system and our insurance companies. The legal system takes years and money, which is something we do not have; the LLC owners and contractors walk away, free of responsibility to the neighbors and neighborhood. The owner and builder of this property remains a mystery and there is no information that this LLC has any experience in building large apartment buildings in a row house residential neighborhood.

4. WHAT ARE THE ENVIRONMENTAL, ECONOMIC, OR SOCIAL IMPACTS THAT ARE LIKELY TO AFFECT THE PERSON/AND OR THE PERSON'S PROPERTY IF THE ACTION REQUESTED OF THE COMMISSION/BOARD IS APPROVED OR DENIED?

- Varnum Lofts/1521 Lofts will substantially compromise the privacy and seclusion of my fenced back yard and window views because the roof top deck with exit door, three balconies, seven windows, and exit door to alley, crime lighting and open

parking lot will directly loom over my residence and affect the air, peace, quiet and light of my property.

- Per the peer review submitted by John Stokes, the roof-top a/c units are non-complaint and there is no green space, as is required for this type of building.
- There will be open parking spaces for four cars, as opposed to the two allowed for the size of this building in the R-4 Residential District. (2101.1)
- This alley, or rear exit, will be one of two entrances to the building. My privacy and security and peace and quiet will be disrupted 24/7 by foot traffic, loud, amplified conversations, sound reverberations, delivery trucks, moving vans, bicycles and vehicles and I personally will lose safe access to the alley.
- The sanitary health of my property will be destroyed by the dumping of discarded furniture, mattresses, garbage, et al abandoned by tenants moving in/out of the building, increasing the concerns for rat and bug infestations.
- My property will be directly affected by the possible loss of the service alley which I use every day. City services, workmen, emergency vehicles may not be able to access my property because this narrow service alley will be blocked by people/trucks/vehicles gaining access to the rear entry of 1521 Varum.
- My property could sustain major damage by a careless driver.
- I could be blocked from entering or exiting my property because of vehicles or discarded garbage using the narrow 18 foot service alley.
- My personal safety, as well as the security of my property, will be at risk.
- My garbage cans will be stolen.
- The stench and the noise from garbage and bottle dumping of the exterior apartment garbage cans will affect the enjoyment of my back yard and the peace and quiet of the back rooms of my house.
- I am concerned about damage, vandalism and tagging on my electronic gate.
- The tree canopy, which creates privacy and visual relief for me and my neighbors, will be chopped down and the vista will be a parking lot with cars and an ugly apartment building.
- My sleep will be disrupted by the noise coming/caused/as a result of this building and my health will be compromised by the demolition, excavation and construction of this building.
- This neighborhood of 16th Street Heights has seen a recent increase in extremely violent crime. This building and its design of open passage which shares the alley I use will encourage activities such as armed robberies, drug dealing, sexual activity, public urination and defecation, loitering, muggings and burglaries. (Currently, the alley running from Webster Street to Allison Street has problems with vagrancy,

loitering and drinking, as well as illegal dumping and other issues listed above. City services has informed Mosaic Church to “take photos”, which is not a solution.)

This is what awaits this neighborhood (from the August, 2015, edition of “Petworth News”): *During Community Comments, Ashley Weyenberg, the treasure of a condo association at 9th & Jefferson, asked for advice from the ANC and the community regarding loitering, littering and trash issues on the block, along with drug activity and people feeling threatened. The condo association has been fined by city for the trash (30 citations in the past year), feeling a heavy financial impact. There’s been considerable dumping in back alley, which connects to Jefferson and Kennedy between 8th & 9th.*

5. WHAT IS THE DISTANCE BETWEEN THE PERSON’S PROPERTY AND THE PROPERTY THAT IS THE SUBJECT OF THE APPEAL BEFORE THE BOARD?

Approximately 18 feet.



Back view of 1516 Webster



My view of 1521 Varnum roof top, tree



View of 1521 Varnum from interior 1516 Webster with telecommunications line to residence.