

DOLLY LANGDON CHAPIN

1628 29TH Street, NW

Washington, DC 20007 Tel: 202-337-3999 email: dlchapin@msn.com

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Some Additional Comments Concerning BZA Case #19097

Application of Mr. Abbe Lowell and Ms. Molly Meegan for Special Exception

Hearing Date October 27, 2015

I have read with great interest the Applicants' response to "One Neighbor's Objection" posted September 22nd on the BZA website for Case #19097 (exhibit no. 28). I was surprised, however, by the condescending tone and specious reasoning of this response.

The Applicants, Mr. Abbe Lowell and Ms. Molly Meegan, new owners of the property at 1626 29th Street, NW, have said they would like to build an addition to the rear of their house so that they can have more space for a larger kitchen and family room where the family can spend quality time together. The addition would not be huge, but its dimensions would exceed DC zoning regulations for lot coverage by 3.8 per cent. Hence they ask to be excused from following the zoning rules that allow only 40 per cent of lot coverage.

The Applicants justify their request by noting that two next-door neighbors, at 1624 and 1628 29th Street, NW, already have rear additions. But, significantly, at no point do the Applicants acknowledge that these additions complied with DC regulations when they were built and remain in compliance today.

To clarify some background facts for the Board, the addition at 1624 was built by former owners, Tom and Barbara Steinmetz, in 2002, 13 years ago, and is smaller than what the Applicants propose for their house at 1626. When the Steinmetzs's were considering an addition, they researched DC building rules and were advised to scale back their plans in order to conform to the maximum 40 percent lot coverage regulation. Their example is relevant because the 1624 house was built as a mirror image of the 1626 house.

I am the owner of 1628, and my husband and I built our addition in 1985, thirty years ago. John Richards Andrews, the architect who supervised our project, also advised us that he would make sure his design would conform to DC regulations. We did not face quite the same lot coverage limitations as did 1626 because, as I explained to Ms. Meegan and her architect, our lot is larger, more than 21 feet longer in the rear. Nevertheless, Andrews' plans adhered to the DC regulations.

I am questioning then why Mr. Lowell and Ms. Meegan merit a Special Exception. If their neighbors complied with DC regulations when building an

addition, why shouldn't they? Why couldn't they revise their addition plans for 1626 and play by the same rules?

Mr. Lowell and Ms. Meegan continue their attempt to divert attention from their non-compliant Application with other misleading arguments. For example, they claim that their new garden plantings will enhance the neighborhood. No doubt the new garden will be attractive, but how can it enhance the neighborhood when it is not visible from the street and is enclosed behind the house within fencing and brick walls? And how can it enlarge the open green space behind the houses in this block when the proposed addition will significantly decrease its size? At present that garden has been paved over by its former owners; perhaps the Applicants mean they will remove the paving and replace it with grass?

Rather than explaining their personal reasons for non-compliance, the Applicants observe that "it's a fact of life that houses built a century or more ago require updating and maintenance..." But why do they fail to mention that the 1626 house underwent a year-long top-to-bottom renovation in order to update the property in 2011, just 4 years ago?

Inexplicably, Mr. Lowell and Ms. Meegan devote the bulk of their argument to making unnecessary and disparaging comments about the addition at 1628 29th Street, comments that are irrelevant about a project that was approved thirty years ago. To contend that my objection "lacks substance," "is patently unfair," "is not based on the law and is based on an inappropriate double standard," and "so inaccurate it borders on the frivolous," is itself inaccurate. The standard my husband and I used in building our addition was adherence to the DC Zoning regulations. We respected the rules, and abided by them. As the owner of 1628, I am disheartened that Mr. Lowell and Ms. Meegan would sign off on such unfriendly, even personally offensive, statements.

My objection, however, is not based only on principle. Rather, it asks a practical question: Why do the Applicants merit a Special Exception when their neighbors built additions that were compliant with DC regulations? If their proposed plan exceeds lot coverage by only 3.8 percent (rounded to 4 percent), would then another homeowner argue his plans exceeded regulations by only 5 percent? And if that Exception is granted, what about subsequent requests for extending lot coverage by 7 percent? Or 9 percent? Where would authorities draw a line?

I do not doubt the Board of Zoning Adjustment tackles a complex process when evaluating requests for Special Exceptions. I hope the Board will ask these Applicants to modify their plans so that they can conform to DC regulations.

Sincerely,

Dolly Langdon Chapin