

3266 Worthington St., NW
Washington, D.C. 20015
November 15, 2015

Board of Zoning Adjustment
441 4th Street NW Suite 200S
Washington, DC 20001

Dear Members of the Board:

*Re: Appeal by ANC 5E, Katelijn van den Berg, Richard A. Seutter, JR., and Susan T. Seutter,
regarding DCRA's issuance of Building Permit Nos. B1505056 and B1510351 at 67 V Street N.W.*

I am writing in support of BZA appeal No. 19106 by ANC5E and Katelijn van den Berg, Richard A. Seutter Jr., and Susan T. Seutter.

By means of the addition of a 45-foot-long rear projection and a third story, the former single-family home at 67 V Street, NW, is currently being converted into a three-unit apartment building consisting of a lower level, first floor, second floor, third floor, and roof deck. The completed building will double the footprint of the original house. The plans as approved in Building Permit Nos. B1505056 on June 19, 2015, and B1510351 on July 21, 2015, seem to me to be in conflict with several sections of the District's Zoning Regulations.

In issuing the original permit in June, the Zoning Administrator erred in allowing a non-compliant closed court on the Third Story. The closed court measures 198.06 square feet, which is less than the minimum requirement for a closed court of 350 square feet. The Zoning Administrator piled error upon error by issuing an Ancillary Permit (July) allowing for the addition of a trellis to the closed court. The trellis does not provide coverage of at least 51% sufficient to constitute a "roof" and therefore does not meet the definition of a "building" under the Zoning Regulations. The trellis coverage cannot be increased, because even the current coverage violates the construction code for chimney clearance, which requires that the chimney of the neighboring 65 V Street, NW, extend at least 2 feet higher than any structure within a horizontal distance of 10 feet. A trellis is defined as a "structure" by the DC Zoning Glossary and therefore cannot be directly adjacent to a chimney.

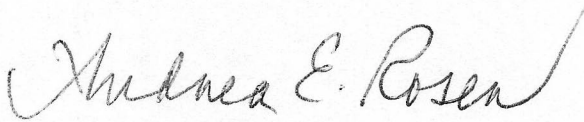
Bigger picture, it appears that DCRA rushed to issue the original permit on June 19, 2015, in order to avoid having to review the permit application under Zoning Commission Order No. 14-II, which had been passed 11 days earlier and was made effective only a week later.¹ The Zoning Commission fast-tracked the new regulations for the express purpose of saving neighborhoods from being damaged by the very type of construction unfolding at 67 V Street. DCRA may not knowingly approve a non-conforming plan in anticipation of regulations that will disallow the plan. By doing so here, the Zoning Administrator has allowed construction that substantially harms the public good and has circumvented the intent, purpose, and integrity of the Zoning Regulations regarding the R-4 Zone District. The Comprehensive Plan mandates that neighborhood character must be protected in areas, such as the R-4 Zone, consisting primarily of row house dwellings.

¹ ZC 14-II was passed on June 8, 2015, and published and made immediately effective on June 26, 2015.

The transformation of the subject property into a behemoth residential shipping container wedged into a previously harmonious row of townhouses negatively impacts the air, light, privacy, **pleasure, and property values** of the surrounding residents. The personal and property interests of the surrounding homeowners in ANC 5E have been, and will continue to be, adversely affected by the conversion of the subject property as approved by DCRA.

As a District of Columbia-born long-time resident I urge the agencies, boards, and commissions charged with protecting and promoting this capital city's marvelous architectural heritage, to take very seriously their role as arbiters of the built environment. I never imagined that with the Comprehensive Plan and the Zoning Regulations to guide decision-makers, the architectural legacy bequeathed to us could be so vulnerable to the depredations of speculators. I ask that you carefully review the claims and not allow any variance or interpretation of the Zoning Regulations to the detriment of the public. Please revoke Permit Nos. B1505056 and B1510351 at 67 V Street N.W.

Sincerely,

A handwritten signature in cursive script that reads "Andrea E. Rosen". The signature is written in dark ink and is positioned above the printed name.

Andrea E. Rosen
Ward 4