

January 29, 2016

D.C. Board of Zoning Adjustment
Suite 210
441 4th Street, NW
Washington, DC 20001

Re: Case No. 19174, Appeal of Unit Owners' Assn. of The Erie Condominium

Dear Board Members:

I am writing in support of the appeal that the Unit Owners' Association of The Erie Condominium filed with the BZA No. 19174. I own and occupy Unit P4 within Erie Condominium. My building is located at 2351 Champlain Street, NW.

I am very troubled by the development activities at 2337 Champlain Street, NW. My building is next door. I believe that the owner of that property is building rooftop structures and decking on top of the roof that are too tall. It was my impression that the BZA imposed some important restrictions on development of the site in 2012. Those restrictions were intended to protect my building and its residents. For example, the owner of 2337 Champlain promised to limit the height of the structure on the roof, but the rooftop structure is now much taller than promised. I also thought that the roof of the new building would only be a little higher than Erie's rooftop. Now, I see elevated decking on top of the other roof.

I do not understand how an owner can simply disregard your earlier decision. The owner is not complying with your written order or the many promises that were made to you and Erie at the BZA hearing. If you do not grant this appeal, owners will not have any incentive to obey your rulings.

This issue is especially important to me because I live in an area of the City that is not supposed to include buildings above 40 feet. My building complied with that restriction, but it is now adjacent to a property that got special permission from you to build a taller building. I think that the BZA was trying to limit the adverse effects of this taller building upon Erie by accepting the zoning applicant's suggested restrictions on development at the roof level of the new building.

Please understand that this area is very confusing for people who do not have an expertise in DC zoning. I certainly do not understand all of the nuanced rules regarding penthouse structures, parapets, etc. What I understand is what I can actually see. In October, it became clear for the first time that the adjacent building was going to be taller than promised. Surrounding buildings have complained as well, as to the height and eyesore that is occurring at 2337 Champlain St.

As one stands on our deck you are looking up a few feet to the deck and fences of the 2337 Champlain Street. Why is this important, we are on Champlain Street, which is a downhill road from north to south. How is it possible that a building that is lower in elevation from the slope of the road, can now tower above 2351 Champlain Street building. You as the stewards of the building zoning and codes, if you allow this to happen, what is to stop the building further down the road to disregard your rulings and rules and regulations set by the City and your zoning Board.

Board of Zoning Adjustment
District of Columbia
CASE NO.19174
EXHIBIT NO.17

I hope that you will consider the appeal carefully.

Thanking you in advance of consideration.

Saul Levin, MD