

Cochran, Patricia (DCOZ)

From: Allison Brandt <abrandt3809@gmail.com>
Sent: Thursday, May 17, 2018 12:54 PM
To: DCOZ - BZA Submissions (DCOZ)
Cc: Cain, Alexandra A. (DCOZ)
Subject: Fwd: BZA Case No. 19728 (121 Tennessee Ave NE) - corrected

Begin forwarded message:

From: Allison Brandt <abrandt3809@gmail.com>
Subject: Re: BZA Case No. 19728 (121 Tennessee Ave NE) - corrected
Date: May 17, 2018 at 12:52:27 PM EDT
To: philANC6A@gmail.com
Cc: Amber Gove <AmberANC6A@gmail.com>, dcanc6a01@gmail.com,
MikeANC6A03@gmail.com, malone6a05@gmail.com,
stephaniezimnyANC6A@gmail.com, spgilbert01@comcast.net,
cward6a08@gmail.com, Brad Greenfield <brad.greenfield@gmail.com>

Mr. Phil Toomajian
Chair, Advisory Neighborhood Commission 6A
District of Columbia Government
Box 75115
Washington, D.C.
20013

Re: BZA Case No. 19728 (121 Tennessee Ave NE)

Dear Mr Toomajian,

My name is Allison Boyer. I am the owner/resident of 123 Tennessee Ave NE WDC 20002. My property is adjacent to the property 121 Tennessee Ave NE, whose owners are seeking a special exception for relief from the District of Columbia Zoning Regulations in order to build a two-story addition to the existing one-story rear addition to an attached principal dwelling. I, along with three neighbors of the property in question are seeking Party Status at the public meeting before the Board of Zoning Adjustment of the District of Columbia, which will be held on May 30th, 2018 at 9:30 am.

Despite strong objection to the exception by me and other affected neighbors, the ANC 6A Commission voted in favor of granting special exception- with a vote of 4-1. Although I understand and respect the fact that five commissioners are required for a quorum, I feel that it is significant that there were votes of abstention among the commission members. As the minutes of the May 10th meeting have not yet been published I cannot be sure which members voted for

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EXHIBIT NO. 55

or against or abstained. I hope that the fact that there was a vote against, as well as abstentions can be brought to the attention of the Board of Zoning Adjustment.

I, along with my neighbors Sig and Susan Cohen and Ronald Hudson, attended the ANC 6A meeting on May 10th 20018. Prior to the meeting both Sig Cohen and I sent letters of opposition to the proposed special exception to each member of the ANC6A as well as to Brad Greenfield. As we sent the letters on May 8th (by email) just two days before the the Commission met, it is possible that the members did not have sufficient time to consider our plea. I can only think that this is the case, otherwise it is difficult to understand how your letter dated May 11, 2018, addressed to Mr. Clifford Moy, Secretary of the Board of Zoning Adjustment, could state that

“The design has taken measures to ensure that the addition is in the character of the neighborhood and it will not disrupt the privacy, air and light of neighbors. The owner has proven that the special exception criteria have been met through the submission of architectural elevations and letters of support from neighbors. The ANC believes that this development will not substantially visually intrude upon the character, scale and pattern of houses in the neighborhood”

I submit that this cannot entirely be the case for the following reasons:

- The shade study executed by the owners of the property does in fact show that at certain times of the year and at certain times of day there will indeed be disruption to air and light, particularly to my adjacent home. Furthermore, I find that your decision was taken without all of the facts, since the architect had not at the time of the meeting submitted a *full* shade study which includes the winter months during which my light will be most affected. A revised shade study, which includes this period, was uploaded as an exhibit in the case on May 15th. My request for a shadow study that also includes a before and after construction rendering of the impact on adjacent homes, the likes of which I have seen in other petitions for exception, remains unanswered.
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- The letters of support that you reference are all from neighbors whose light and air are not directly impacted by the proposed addition.
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- The proposed structure will rise three stories from the ground and will be the only protruding structure at that level from 125 Tennessee Ave through to the south east end our the shared alley way. The negative impact on access to light and airflow for the immediate neighbors is demonstrable. The impact on the character of the shared space behind our historic row of houses will be permanent.

Referencing your words, I would like clarification as to how the design “has taken measures to ensure” that the structure will not disrupt the air and light of neighbors. As I am not an architect, I have some difficulty reading the shade study, particularly since it is quite rudimentary and does not go as far as to even indicate where the five windows on the rear of my home are located in relation to the shadows that will be cast by the proposed three story structure. I would be delighted to find that the construction of two additional two storeys would not affect my light and air, but to my untrained eye, I can’t see how this can be the case.

Although I was present at the Commission meeting on the 10th of May, I was not granted the opportunity to speak. It is for this reason that I have written to you and the other 6A Commission members today. As I had never before attended a ANC meeting I was not familiar with the protocol. I waited with my hand raised however I was not called upon, and I was ultimately told

that the meeting had come to an end. I noted however, that neighbors whose light and air are no way affected by the proposed project were given time to speak in support. I am not sure how or why the support of neighbors who are a distance away from the property in question are taken into consideration in your decision making.

As I believe that your commission is tasked with listening to *all* residents of Ward 6A, I respectfully ask you to acknowledge my letter and if possible answer my questions before the Board of Zoning Adjustment meets on the 30th of May.

Very Sincerely,

Allison Boyer
123 Tennessee Ave NE
Washington DC
20002