Darrel J. Grinstead
2964 Chesapeake Street NW
Washington, DC 20008

February 19, 2001

Michael Johnson
Building and Land Regulation Administration
Department of Consumer and Regulatory Affairs
District of Columbia
941 North Capitol Street
Washington, DC 20002

Re: Nonconforming Structure Under Construction In 2900 Block of Chesapeake Street NW

Dear Mr. Johnson:

The purpose of this letter is to renew the appeal I filed with your office on October 7, 2000 regarding the illegal structure that is being built on the 2900 block of Chesapeake Street NW (Lot 30, formerly lot 856, Square 2256). I herewith repeat all my previously stated objections to this construction, the permits for which were pending in your office at the time of my October 7, 2000 letter (a copy of which is enclosed). I have never received a response to that letter, and my repeated telephone calls to your office and to that of Vincent Ford, the Chief Building Inspector, have gone unanswered.

Despite the objections to this construction stated by myself and the other adjacent property owners, the developer chose to proceed with the construction, apparently even before all the permits were granted. Now that the construction is underway, the nonconformity of this structure with applicable zoning rules is even more apparent than when I first wrote to you (although they should have been apparent from the plans that were submitted by the developer).

In addition to the other objections set forth in my October 7 letter, including inadequate side and rear setback, inadequate lot size, and nonconforming size, the most apparent violation as construction has proceeded is the height of the building, which has grown to four stories in violation of the zoning requirements for houses in this R-1-A district. The ground floor is clearly a story, the ceiling of which protrudes more than four feet above the adjacent finished grade. Above that are three more stories, which soar far above the roofs of adjacent houses.

Board of Zoning Adjustment
District of Columbia
CASE NO.16764
EXHIBIT NO.3

BZA
Case No. 16764
Exhibit No. 3
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This construction presents the same set of facts as were presented to your office with respect to the construction of a house at 4512 - 28th Street NW last year. (BZA Appeal No. 16533, ANC – 3F). In that case your office approved an illegal four story house, the basement of which was clearly a story, fully exposed to the street and more than four feet above grade. In that case the Board of Zoning Adjustment agreed with the complaining neighbors, and required the fourth story to be removed. If anything, this case presents an even clearer case of an illegal four story house. I am enclosing photographs of the site taken on February 19, 2001 that demonstrate the above assertions.

I have also tried to contact your office to discuss the inadequate side and rear setbacks. The rear of the house appears much closer to the adjacent lot than the required setback. Although I have not had access to the property (which is carefully fenced off in an apparent attempt to hide the illegal construction), the side setbacks appear questionable as this oversized house is wedged into a nonconforming lot.

For all of the above reasons, I ask that you issue a stop work order on this project and that you conduct an immediate on site inspection of the construction site to determine the lack of compliance with applicable building and zoning rules. I would appreciate a report as to your findings in that regard so that I and the other adversely affected neighbors can take any additional action that may be appropriate. I can be reached during the day at 202-637-5989.

Thank you for your prompt attention to this matter. I look forward to hearing from you.

Sincerely,

Darrel J. Grinstead

cc: Mayor Anthony Williams
Kathy Patterson, Councilmember, Ward 3
Robert Maudlin, ANC 3F
Board of Zoning Adjustment, District of Columbia
William Wahabi
Northwest Current
Neighbors on 2900 Block of Chesapeake Street NW