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December 27, 2001

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Geoffrey H. Griffis, Chairman
Board of Zoning Adjustment
Room 210
441 4th Street, NW
Washington, D.C. 20001

BZA
Case No. 16810
Exhibit No. 33

Re: Lot 818, Square1236, 1324 27th Street, NW--- BZA Case NO. 16810

Dear Mr. Griffis,

I am writing on behalf of Virginia B. Giese, the owner of 1322 27th Street NW, which is the property located due south of the subject property, 1324 27th Street NW. On December 18, Mrs. Giese requested party status in this proceeding and withheld comment on the Petitioners' action in expectation of a significant amendment to their original proposal. That amended proposal, dated December 19, 2001 was filed with this Board on or about December 19, 2001, by Mr. Gell on behalf of Petitioners (hereafter referred to as "the December 19 Gell proposal"). Taking into account the limited time that Mrs. Giese has had to review the December 19 Gell proposal due to the holidays and some confusion over the filing of the Gell documents, and all the cumulative facts and circumstances, at this time Mrs. Giese must oppose this latest proposal. It should be noted that Mrs. Giese neither received notice nor participated in any of the series of ANC meetings or Old Georgetown Board hearings on this matter.

Referencing Plan A-1 of the December 19 Gell filing, 1322 27th Street is the property directly South and abutting 1324 27th Street. The main portion of the house is constructed of brick, with a small structure in the back (outlined on the same Plan A-1) constructed of wood. Petitioners' proposed addition, highlighted in Plan A-1 in dark black, would sit next to this wood structure.

Petitioners' original application proposed an 8 foot addition. By letter dated December 10, 2001 from Mr. Gell, Petitioners' requested leave to alter their proposal in line with a 12 foot addition apparently approved by the ANC 2E (as previously stated Mrs. Giese did not receive notice of any ANC proceedings and had no participation in any such proceedings.). The December 19 Gell proposal now proposes a 10'3" addition that is the focus of this proceeding.

Petitioners' infer that the current size of the structure at 1324 27th Street makes the property uneconomic. It should be noted that since at least the mid-1970's the property has been continuously rented until its vacancy a few years ago and for at least the last several years of that rental history was rented by a real estate agent.

For numerous reasons Mrs. Giese takes exception to the December 19 Gell proposal. First, this proposal suggests that Petitioners' build part of their proposed addition on Mrs. Giese's property. The District of Colombia Government Office of the Surveyor plat dated July 17, 2001 submitted as part of Petitioners' original application to this Board (hereafter referred to as the "Plat"), shows the width of the Petitioners' lot to be 10'9". Plan A-3 of the December19 Gell proposal shows the distance from the outside

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of Petitioners' North wall to the interior of Petitioner's South wall to be 10'9". When the South wall of the addition is included according to Plan A-3 the width of the addition measures 11'6", 9 inches greater than the Plat. Anyway that Petitioners' plans are read, the proposed addition appears to extend outside the Petitioners' property lines. While Petitioner may argue that property boundaries are of no consequence at this point in the process and that their proposal is strictly a concept piece, if the concept is to build on adjacent property, the application must be either appropriately amended or denied. In any event, when dealing with a project where feet and even inches are critical, it should be incumbent upon a Petitioner to present actual as opposed to wishful property lines.

The December 19 Gell proposal does not contain an acceptable assurance that water runoff from Petitioners' roof will not move onto Mrs. Giese's property. Under all proposals that Petitioners' have presented, the roof of Petitioners' proposed addition will be significantly higher than that part of Mrs. Giese's roof and there will be close proximity between the walls of the houses in that area. Strong Washington rainstorms already pose a threat to Mrs. Giese's house, additional water from another house will not help. For weeks, I have requested that Petitioners provide me with a plan as to how they will take care of this situation, but to no avail. Two problems exist with the December 19 Gell proposal in this regard. First, the plans, in particular plans A-8 and A-9, show no increased height in the roof line that would divert water runoff. While arguably this presents a construction issue, the proposed roofline height is important to the overall concept of the proposal since such a detail can have a significant effect on distribution of light and air in the immediate area. Second, plan A-10 appears to suggest, without explanation, a parapet of some type, but what is depicted would at best be constructed on Mrs. Giese's land and at worst actually constructed on her roof. Neither is acceptable.

Whether the addition proposed by Petitioner is 8, 10, or 12 feet, construction of any such addition will cause economic harm to Mrs. Giese's property. Further crowding an already dense area lacking in open space will only diminish value. Additionally, any of the proposed additions will forever deny Mrs. Giese the opportunity of installing windows in the presently exposed potion of the north wall of her home. Such windows would gain light and air for the kitchen and bathroom housed in that part of the property.

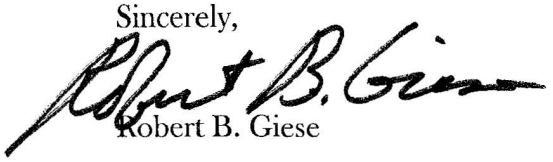
The length of any addition simply represents gradations of further harm. A garden measuring approximately 13' by 11' is located at the rear of Mrs. Giese's house. Please refer to plan A-1 of the December 18 Gell proposal. As with any small home, having a garden represents sizable value to the property and that the value is increased proportionally to the quality of the garden. The most appealing features and most prominent value accelerators of the Giese garden are its unique privacy and feeling of openness in this very densely settled section of Georgetown. All proximate houses to the South are spaced back 10 feet from the garden, as is the Petitioners' house to the North. Further to the North are the Dumbarton Street homes, more than 20 feet distant. Contrary to the December 19 Gell proposal , which states in its last paragraph that an alley exists behind the houses, to the west is a combination brick wall and wood fence that stands greater than 10 feet. No single home directly impinges upon the garden, but to the contrary all remain at a respectful distance. Petitioners' plans at 12 feet bring their house into the lap of the garden, past the back of Mrs. Giese's house, seriously disrupting the above symmetry and reducing the future enjoyment and economic value of that garden. The 10 foot plan, to a lesser extent reduces that economic value and enjoyment but with windows looming still impacts the value of the garden. The eight foot plan, because of its 2 feet set back from the back of the structure at 1322 27th Street is the alternative that least interferes with the garden area.

Petitioners' December 19 Gell proposal also includes digging a cellar under the proposed addition. Neighbors in the subject block of 27th Street have had problems with settling foundations after digging at another site in the block. In addition, roots exist from a sizable tree recently removed from the Petitioners'

property. Petitioners' proposal does not address with any specificity how they plan to avoid damage from digging as part of their project or for that matter damage in general from performing construction in such a delicate environment.

For the above reasons Mrs. Giese must object to Petitioners' pending application. As a final comment Mrs. Giese regrets having to make this filing. She has no interest in embattling anyone, in particular a neighbor. Unfortunately, Petitioners' have not been forthcoming in working out the above mentioned issues. She looks forward to the rehabilitation of 1324 27th Street as expeditiously as possible, but in a manner that is fair and equitable to all involved. I am available at your convenience to answer any question that you might have.

Sincerely,



Robert B. Giese