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November 19, 2004

Mr. Geoffrey Griffis, Chairman
Board of Zoning Adjustment
Room 210
441 4th Street, N.W.
Washington, DC 20001

Re: ANC 2A's Request for Postponement of
BZA Case No. 17204
2512 I Street, N.W. (Square 17, Lot 35)

Dear Mr. Griffis:

I have a copy of the September 16, 2004, letter to you from Ms. Dorothy Miller, Chair of ANC 2A, requesting a postponement on the grounds that the ANC did not have pertinent information sufficiently in time to act on the above case. In the attachment, I have set out a chronology of contacts showing that the ANC had the final revised plans as early as September 10, 2004. Since September 10, 2004 the ANC has known that we were only seeking a special exception under 223.1. Since October 29 they have had the full package including the written revised application.

The Applicant agreed to support the first extension, notwithstanding the added expense of protracted proceedings, the loss of construction time, and the inconvenience of living in a building that had been chopped up into individual student living units. An additional delay will only increase the pain for the applicant and will not benefit the ANC which has had sufficient time to consider neighborhood concerns about the impact of the project. It is noteworthy that no one at the ANC meeting testified that the project would have a negative impact on their light or air, their privacy, or use of their properties. The architect testified that the addition could not be seen from the street frontage and no one contradicted that testimony. We urge the Board to hold the hearing

BZA
Case No. 17204
Exhibit No. 44

Board of Zoning Adjustment
District of Columbia
CASE NO. 17204
EXHIBIT NO. 44

on November 30, 2004 as scheduled and move the process to completion as expeditiously as possible.

Attached as Exhibit A is a copy of a letter from the next door neighbor, Ronnie Melnick, supporting the application. The letter was inadvertently omitted from the Prehearing Statement.

Please call if there are any questions.

Yours very truly,

Stephen N. Gell

Enclosures
cc: Richard Donnell
Dorothy Miller, Chair, ANC 2A
Paul Falon, Esq.

BZA CASE NO. 17204 *** CHRONOLOGY OF EVENTS

June 10, 2004	Case filed requesting area variances for increased lot occupancy and reduced rear yard.
September 14, 2004	ANC 2A meeting. Revised plans, which drastically reduced the size of the project, were provided to each member of the ANC. The case was presented, including a model of the project in context. Applicant explained that there was no longer any need for a variance and we would only be seeking a special exception for the rear yard.
September 16, 2004	ANC 2A requested a postponement on the grounds that it did not have sufficient time to consider the revised plans and the request for special exception.
September 21, 2004	Board of Zoning Adjustment reviewed the request for a Postponement, and our concurrence, and set November 30 as a hearing date. The Board noted that a revised application would be presented by November 16 and the other parties would have until November 23 to respond. A set of plans was hand delivered to Mr. Paul Falon, the individual party.
September 25, 2004	An additional set of revised plans was hand delivered to the ANC Chair and the single member. Also sets of plans were hand delivered to all neighbors who had signed the petition opposing the original plans. Melissa Charron, 2505 I St NW, Ann C. Rennie, 2508 I Street, Paul W. Mckee, 2502 I Street, D. Susan Wallace, 2532 I Street, and Milton O. Maeda, 2531 I Street. See Exhibit B hereto.
October 23, 2004	Single member, Maria Tyler, sent an email to Mr. Gell requesting that the revised application be filed by October 29 (23 days early) since the ANC needed time before its meeting to review it. See Exhibit C hereto.
October 29, 2004	Revised application filed and hand delivered to the ANC Chair, the single member, and the individual party.
November 10, 2004	Presentation made to the ANC.

Exhibit A

Ronnie M. Melnick
2514 Eye Street NW
Washington, D.C. 20037

September 16, 2004

Mr. Geoffrey Griffis, Chairman
Board of Zoning Adjustment
Room 210
441 4th Street, N.W.
Washington, D.C. 20001

Re: Statement in Support of the Application of Richard and Christina Donnell
Application No. 17204 -- 2512 I Street N.W. (Square 17, Lot 35)

Dear Mr. Griffis:

I am a long-time Foggy Bottom resident and the owner/occupant of 2514 I Street, N.W., the home adjoining Richard and Christina Donnell's home located at 2512 I Street, N.W.

I am aware of the Donnell's application for a variance and/or special exception to build a third floor and rear addition to their home at 2512 I Street, N.W. The Donnell's reviewed their proposed plans with me and I was concerned with the section of the rear addition that extended beyond my home to their rear property line.

In response to my concerns, the Donnell's have revised their application and architectural plans so that the rear of their house will be flush with my house (the "Revised Plan"). As shown in the Revised Plan the Donnell's provided to me (and will submit to the Board of Zoning Adjustment), the only structure that will extend to the rear property line is the garage with a deck on top of the garage. The enclosed garage will replace the existing carport structure and concrete retaining walls that currently extend to the Donnell's rear property line.

The Donnell's have agreed to revise their architectural plans to address my concerns and modified their application to the Board of Zoning Adjustment as indicated above. In exchange for the Donnell's agreeing to change their plans to address my concerns and limit the rear addition (excluding the garage) so that it does not extend beyond my house, I support the Revised Plan and the Donnell's application for a variance and/or special exception to build a third-floor and rear addition in accordance with the Revised Plan.

Ronnie M. Melnick

Ronnie M. Melnick

Date: 16 Sept. 2004

Richard S. Donnell

Date: 9/16/04

Christina T. Donnell

Christina T. Donnell

Date: 9/16/04

Exhibit B

2512 I Street NW
Washington, DC 20037

September 25, 2004

Re: **Application of Richard and Christina Donnell**
Application No. 17204 -- 2512 I Street N.W. (Square 17, Lot 35)

Dear Concerned Neighbors:

Enclosed please find a copy of the revised architectural drawings for our home at 2512 I Street. As there has been some opposition to our proposal, we believe that viewing the actual plans makes it easier to visualize the proposed changes. We also wish to note several other items that have come to our attention.

1. We have scaled back our plans in consultation with our adjoining neighbor at 2514 I Street and in response to comments from others in the neighborhood. As the plans currently reflect, the rear of our house will be aligned with that of our adjoining neighbor. The only structure that will extend to the rear property line is the garage. This will not affect the access to sunlight and air, or impact the view, of any adjacent home.

2. There has been considerable discussion regarding our request to exceed the "rear yard" requirement and concern that we will be destroying "green space." However, a walk down the alley behind the 2500 block of I Street will show that 2512 does not have any green space or a rear yard to eliminate. Rather, an enclosed garage will merely replace the existing ¾ enclosed carport structure and concrete retaining walls that currently extend to our rear property line.

3. We have been told that we did not attempt to talk to our neighbors about this project; however, this is inaccurate as we spent several weeknights and weekends knocking on doors in the 2500 block of I Street. We believed that our immediate neighbors would be the only residents potentially affected so those are the people we attempted to contact. As to residents that we were unable to reach, it is because there was no one home at the time we were knocking on doors.

Please share these plans with any neighbors that have concerns and all are welcome to contact Stephen Gell or myself as indicated below. I am happy to provide additional copies of these plans as requested and copies were previously provided to all of the ANC representatives present at the monthly meeting on Tuesday, September 14, 2004.

Thank you.

Richard and Christina Donnell

VIA HAND DELIVERY

1. DORTHY MILLER, CHAIR
   ADVISORY NEIGHBORHOOD COMMISSION 2A
   2440 VIRGINIA AVENUE, NW #D206
   WASHINGTON, DC 20037

2. MARIA TYLER, COMMISSIONER
   SINGLE MEMBER DISTRICT 2A03
   949 25th STREET NW
   WASHINGTON, DC 20037

3. MELISSA CHARRON
   2505 EYE ST NW
   WASHINGTON, DC 20037

4. ANN C. RENNIE
   2508 EYE STREET, NW
   WASHINGTON, DC 20037

5. PAUL W. MCKEE
   2502 EYE ST NW
   WASHINGTON, DC 20037

6. D. SUSAN WALLACE
   2532 EYE STREET, NW
   WASHINGTON, DC 20037

7. MILTON O. MAEDA
   2531 EYE STREET, NW
   WASHINGTON, DC 20037

Subject: Revised Application 2512 I Street, N.W. BZA Application: Case No. 17204
From: "Maria Tyler" <maria.tyler2@verizon.net>
Date: Sat, 23 Oct 2004 13:48:57 -0400
To: <sgell@his.com>
CC: <FalonPa@ffhsj.com>

Exhibit C

Stephen N. Gelb, Esq.
1101 30th Street, N.W., Suite 500
Washington, D.C. 2007

As you know, ANC-2A at it regular public monthly meeting on September 14, 2004, passed a Resolugtion unanimously opposing your clients' original application on the above project. That application was withdrawn, and BZA is to consider a revised application on November 30, 2004.

Not having received the revised application, ANC-2A, at its monthly meeting on October 12, 2004, passed a motion that you be requested to provide a copy of the revied application on the above project so that ANC-2A could consider it and pass a Resolution conveying its position to the Board of Zoning Adjustment.

If ANC-2A is to be able to consider the revised submission and reach an informed decision, it must at the latest have the revised application by October 29. I am therefore asking you, on behalf of ANC-2A, that you forward to me six copies of your clients' application on or before October 29, 2004.

Sincerely,

For ANC-2A:

Maria Tyler
Commissioner, ANC-2A03

cc. Mr. Geoffrey Griffis (by hand or mail)