May 11, 2005

Board of Zoning Adjustment
441-4th Street, N.W. – Suite 210
Washington, DC 20001

Re: 2501 Pennsylvania Avenue, N.W. (BZA #17322)

Dear Board Members:

I was one of the five community co-signers of the Settlement Agreement with the prior developer of 2501 Pennsylvania Avenue, N.W. and which the Board of Zoning Adjustment (BZA) acknowledged in its prior Orders for this site (#15461, 15461-B, 15461-C, 15461-D & 15461-E, dating from 1993 to 1998). I actively participated in the consideration of all development proposals -- except the current proposal -- for this site and in the Court-ordered mediation.

I believe that the principles for which we fought for years are still valid. As a consequence, I have reviewed Barbara Kahlow's testimony for the BZA's May 17, 2005 hearing and fully support all of the points she will be making and the conclusions she has reached.

I urge the Board to appropriately revise and condition the current proposal, especially to protect the homeowners on 25th Street. Thank you for your consideration of my views.

Sincerely,

Robert J. Niemic

Robert J. Niemic
1520-16th Street, N.W. #801
Washington, DC 20036

BZA
Case No. 17322
Exhibit No. 51

Board of Zoning Adjustment
District of Columbia
CASE NO. 17322
EXHIBIT NO. 51

AN AMERICAN BRASSERIE

KINKEAD'S

2000 PENNSYLVANIA AVE., N.W.

WASHINGTON, D.C. 20006

TELEPHONE (202) 296-7700

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May 10, 2005

Board of Zoning Adjustment
441-4th Street, N.W. #210
Washington, DC 20001

Re: 2501 Pennsylvania Avenue, N.W. (BZA #17322)

Dear Members of the Board:

I own Apartment #7 in the 1112-25th Street condominium. This property abuts the proposed development at 2501 Pennsylvania Ave., N.W. on the 25th Street side. I previously testified before the Board of Zoning Adjustment (BZA) about a prior proposal that would have had adverse effects on my Unit. I believe that the current proposal will also have adverse effects on my Unit.

Our condominium is in an R-5-B zone, which limits the maximum height to 50 feet, maximum lot occupancy to 60 percent, and maximum Floor Area Ratio (FAR) to 1.8. The proposed development includes an R-5-B area abutting our condominium. I believe that the proposed 90 feet height, 95 percent lot occupancy, and 7.6 FAR in this R-5-B area will have various adverse effects on my property and are not justified. In addition, I am especially concerned about maintaining the air and light in my property. In fact, the zoning limits were designed to protect existing residential properties.

The proposal includes a request for five variances and two special exceptions, including for FAR, Lot Occupancy, and Court Width. The last of these is especially important to my property. The Board's previous Orders included important protections in this area. In addition, the community's Settlement Agreement included provisions to address some other adverse effects on our building, such as trash disposal and parking for 1112, 1114 and 1116 homes. I understand that the current developer is unwilling to meet these previous commitments.

I urge the Board to consider the adverse effects and to require revisions to protect our quality of life. Thank you for your consideration of my comments.

Sincerely,

Robert H. Kinkead Jr.
Owner, 1112-25th Street, N.W. #7

May 11, 2005

Board of Zoning Adjustment
441-4th Street, N.W. #210
Washington, DC 20001

Re: 2501 Pennsylvania Avenue, N.W. (BZA #17322)

Dear Members of the Board of Zoning Adjustment:

My name is Ranee Lewison, my husband Keyvan Ahdut and I own the basement unit in 1112-25th Street condominium complex, (i.e., Unit 5). This unit abuts the proposed development at 2501 Pennsylvania Ave., N.W. on the 25th Street side. In the past, I testified that any proposed building adjacent to our Unit must not block our air and light at our window courtyard, which is the only source of air and light to the Unit on the side of our building at 1112-25th Street, N.W. As far as I understand, the Board of Zoning Adjustment previously agreed that the windows would not be blocked and, as a matter of fact, that space would be left open there in order to continue to have light and air to the apartment. The previous developer had achieved this goal with shadow studies and drawings to make it so that our courtyard would not be negatively affected. The proposed design has largely ignored the existence of the above mentioned courtyard.

According to the R-5-B zoning of this part of the site, the maximum percentage of allowable lot occupancy is 60%. This limitation requires a setback in the rear that saves our existing courtyard from being blocked. However, if the Board approves the proposed special exceptions and variances, as it stands now, we practically will end up with no courtyard, which in return means no light and no ventilation to our bedrooms and bathroom.

I am pleased that finally, after some time, there is a proposed building project. However, as I have stated previously, the matter of air and light is crucial.

I had originally planned to appear in person to testify in front of the Board, but, due to a broken ankle, I am unable to attend the hearing. I urge the Board to consider the negative impacts that we will suffer should the variances be approved. Thank you in advance for your consideration.

Sincerely,



Ranee Lewison
lewisonr@yahoo.com
1112-25th Street, N.W. Unit 5