

JORDAN & KEYS, PLLC
ATTORNEYS AT LAW
SUITE 710
1400 SIXTEENTH STREET, N.W.
WASHINGTON, D. C. 20036-2217
(202) 483-8300
FACSIMILE (202) 328-6153
gkeys@jordankeys.com

2011 DEC -2 PM 2:33

OF COUNSEL:

HAROLD E. JORDAN

GEORGE R. KEYS, JR.*

*Also Admitted in Maryland

December 2, 2011

TRANSMITTED ELECTRONICALLY

Meridith Moldenhauer, Esq., Chairperson
D.C. Board of Zoning Adjustment
441 4th Street, N.W. - Room 210 South
Washington, D.C. 20001

Re: Keener-Squire Properties, on behalf of the First Baptist Church - Application No. 18272

Dear Ms. Moldenhauer:

This firm represents a party opponent in this proceeding, the Richmond Group. At the conclusion of the public hearing on November 15, 2011, you permitted my client an opportunity to file additional information pertaining to the impact of the shadows created by the proposed building.

We attach for the information of the Board shadow studies of the subject property prepared by SiRu architects, pc showing the situation from a vantage point which is the reverse angle from the shadow studies produced by the Applicant showing more clearly the effect of shadow on the face of the Richmond Condominium Building, 1401 17th Street, N.W. (the "Richmond") and the public garden. In addition to the times of the year and times of day (10:00 am and 2:00 pm when the sun is highest in the sky and the cast shadows accordingly smaller) employed in the Applicant's shadow studies, we have included 4:00 pm in the afternoon. Further, as we contended at the public hearing, because § 1504.1(e) of the Zoning Regulations creating the Dupont Circle Overlay mandates the preservation of "open gardens and backyards ...", we have shown the existing conditions affecting the public garden.

Shadow Study #1 shows existing conditions at the winter solstice (December 21) at 10:00 am and 2:00 pm in the upper two panels showing virtually full light on the Richmond and the public garden. The lower panels show the effect of the proposed building at the same times with the shadow moving up the Richmond and to the east across the public garden as the afternoon advances.

Shadow Study #2 depicts the effect on the Richmond and the public garden at 10:00 am and 2:00 pm on the vernal and autumnal equinoxes (March 21 and September 21) and summer solstice

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO.

18272

EXHIBIT NO.

44

Board of Zoning Adjustment
District of Columbia
CASE NO. 18272
EXHIBIT NO. 44

JORDAN & KEYS, PLLC

Meridith Moldenhauer, Esq., Chairperson
D.C. Board of Zoning Adjustment
December 2, 2011
Page 2

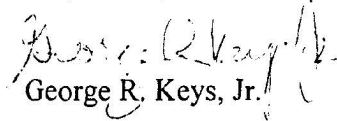
(June 21). These are comparable to the studies presented by the Applicant except from a different vantage point.

Shadow Study #3 focuses on 4:00 pm on March 21 and September 21. Under existing conditions, the sunlight slants across the public garden with the fountain plaza being affected by the shadow of the Richmond. With the proposed building, the building's shadow squeezes out the band of sunlight on the public garden advancing to the north.

Shadow Study #4 shows the conditions on June 21 at 4:00 pm, when it is largely the Richmond which casts a shadow across the public garden.

The attached shadow studies demonstrate an adverse effect on the Richmond and the public garden in the loss of afternoon light evident at three times in the year (March 21, September 21, and December 21).

Respectfully submitted,


George R. Keys, Jr.

Enclosures

cc: Mary Carolyn Brown, Esq.
Advisory Neighborhood Commission 2B
D.C. Office of Planning
Kay Marlin



12.21 @ 10:00AM



12.21 @ 2:00PM



12.21 @ 10:00AM



12.21 @ 2:00PM

1ST BAPTIST APT BUILDING - 17TH & O ST NW WASHINGTON DC - SUN STUDY - 11.23.11

BZA #18272
Shadow Study #1



03.21 & 09.21 @ 10:00AM



03.21 & 09.21 @ 2:00PM



06.21 @ 10:00AM



06.21 @ 2:00PM

1ST BAPTIST APT BUILDING - 17TH & O ST NW WASHINGTON DC - SUN STUDY - 11.23.11

BZA # 18272
Shadow Study #2



3.21 and 9.21 @ 4PM

BZA # 18272
Shadow Study #3



3.21 and 9.21 @ 4PM

BZA #18272
Shadow Study #3



BZA # 18272
Shadow Study #4



BZA #18272
Shadow Study #4