

1226 North Carolina Ave NE  
Washington, D.C. 20002

Edward Griffin  
202.361.5246

February 25, 2018

Board of Zoning Adjustment

VIA E-FILING

RESPONSE TO MS. PATTON'S OPPOSITION TO APPLICANT'S SHADE STUDY  
AND MOTION REQUESTING A COPY OF APPLICANT'S MODEL

Re: Enclosure of deck area on existing 3 story Family Dwelling  
Location: 1226 North Carolina Ave NE  
Square: 1012 Lot: 0122  
Zone: RF-1  
DCRA Building Permit: B1612441  
DCRA ZA Case: FY-17-39-Z  
BZA App. No. 19593

Dear Board of Zoning Adjustment,

Thank you for reviewing this response to the opposition to Applicant's shade study and motion requesting a copy of Applicant's model filed by Ms. Patton ("Patton Model Motion"). Ms. Patton's latest motion accuses me of conspiring with the architect I retained to intentionally create a false shade study that would mislead this Board and others into thinking that our proposed enclosure would have a less significant impact upon Ms. Patton's property *i.e.* fraud before this Tribunal. In support of her serious allegations, Ms. Patton offers convoluted speculation, paranoia and a deeply flawed understanding of what is involved in this type of modeling.

The study correctly models the three properties. Applicant's shade study was

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EXHIBIT NO.70

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prepared by Ms. Wakako Tokunaga, AIA, LEED, AP of Wakako Tokunaga Architecture LLC. The study was produced using Google Sketchup to create the mass model. The exact coordinates and orientation of 1226 NC, 1228 NC and 1230 NC were inputted into Sketchup, which interacts with Google Maps to get the proper coordinates, dimensions and create the model. The model simulates the shadow falling on 1230 NC's West side, if any, at different times of year and day. Again, the exact coordinates and orientation of 1226 NC, 1228 NC and 1230 NC were inputted into Sketchup and used to make the model. Ms. Tokunaga, a licensed architect, prepared it using her skills, expertise and in conformity with industry practice.

The model focused on the window Ms. Patton had identified in her request for party status. Patton Request for Party State Exhibit C and D. As the model shows, the impact, if any, is minimal. While included, the impact, if any, on the additional windows is easy to ascertain from the study as even more minimal as the window that the study focused on was the one most likely to be impacted.

The model does not depict the east edge of the 1228 NC property line as being flush with 1230 NC's west side property line. Ms. Patton's allegation is false. The space between the properties is clearly visible from the model. Again, the model does not depict the east edge of the 1228 NC property line as being flush with 1230 NC's west side property line and Ms. Patton's allegation to the contrary is false as is clearly visible from the model itself.

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The model does not significantly increase and misrepresent the size and mass of 1228 NC. Ms. Patton argues that the Applicant's model is false and incorrect, because it "seems" to use a different rear width.<sup>1</sup> The Office of the Surveyor of the District of Columbia's building plat shows that the width of 1226 NC is 17 feet and the width of 1228 NC is also 17 feet. The proper dimensions of the houses are readily available in publicly records that do not require an "engineer" to stalk the property with a ruler. The model uses the proper coordinates and widths as can be seen by the attached screenshot of the model in operation. Ms. Patton's paranoid speculation to the contrary is offensive.

Ms. Patton's opposition to this Applicant's shade study is more paranoid hysterics with no legal or factual basis, and it should be denied. If Ms. Patton wants to have her own shade study done to satisfy her own paranoia, she is, of course, welcome to do so at her own expense.

Respectfully submitted,

  
Edward Griffin

Certificate of Service

I hereby certify under penalty of perjury that I served a copy this statement on \_\_\_\_\_

<sup>1</sup> Ms. Patton states that 1226 NC has a rear width of 12' 2". Patton Model Motion β 7. She again states that the rear width of 1228 NC is 11' 10". Patton Model Motion β 7. She also claims to have retained some unknown, unidentified (and perhaps unlicensed) engineer who has made measurements of the property. Why these measurements somehow mean that the model misrepresents the mass and size of 1228 NC is beyond rational understanding.

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Ms. Charlene Patton, through her attorney, Denise Pitts, Law Offices of Robert Weed,  
300 Garrisonville Road, Suite 201, Stafford, VA 22554, via US Mail.

Sincerely,

A handwritten signature in black ink, appearing to be 'E. Griffin', written over a horizontal line.

Edward Griffin