

VIA IZIS

April 09, 2018

Updated Summary of Community Outreach

Board of Zoning Adjustment of the
District of Columbia
441 4th Street NW
Suite 200S
Washington, DC 20001

Re: Application to the Board of Zoning Adjustment
1432 Newton Street NW (Square 2677, Lot 0371)

Dear Members of the Board:

Please consider the following actions that have transpired in the community as you consider this case. The Owner has been very proactive in involving the community in this proposed project. In addition to informal discussions with some neighbors prior to the submission on February 22 of this year, he has actively sought out any and all affected neighbors to understand and respond to their concerns.

Upon receiving our submission, the ANC advised us that several neighbors had concerns and the best way to address them was through a meeting, which the ANC 1A05 Commissioner, Christine Miller, was kind enough to set up. In that meeting, concerns about light, air, views, and noise/tenant issues were discussed. Mr. Donchev listened to the various concerns and then directed several changes to the design. He also made assurances about how he intends to compel future tenants to be respectful about noise levels.

The revisions to the plans include the elimination of the third floor rooftop deck and 15 foot reduction of the third floor addition from 37.6 feet beyond the existing third floor rear wall to 22.6 feet. Also, the proposed window facing the neighbor on the court is eliminated. The remaining second floor roof area will become a balcony, with metal rails to maximize light and air passage.

Updated plans and neighbor support letters are uploaded, and an email chain documenting the above events is copied below.

Sincerely,

**James Solomon AIA
DC License ARC 100269**

Thu 2/22/2018 11:31 AM
Good Morning Mr Solomon,

Thank you for forwarding this and giving advance notice on your client's plans; I appreciated your earlier email notice letting me know that this was in process. I met Mr Donchev at our meeting this past Wed, and he has also shared a copy of the renderings. As I mentioned to him, what has been historically most important to our Commission has been letters of support from neighbors, specifically those abutting and in this case also behind the property since your special exceptions includes a request to add a two-story addition to an existing one-family dwelling and a roof deck? Those would be the two concerns and points that we would want to make sure neighbors understand and that the commission would want to see you have their support on.

I had also mentioned to Mr Donchev that in the past, the Monroe street residents (some of whom share that back property line and would be impacted) have had concerns about properties going up and back; they have also been very vocal about some projects and protested. I would like to make sure everyone is on the same page and fully understands the scope of this work. If you are available and open, I would like to arrange a meeting with interested residents to discuss their concerns and give you a chance to respond and answer any questions about this project.

Thank you in advance and best,

Christine Miller

ANC 1A Commissioner/ Single Member District (SMD) 1A05
1a05@anc.dc.gov / Twitter: @MillerANC1A05
<https://www.facebook.com/MillerANC1A05/>

Please visit or join our new ANC 1A Education Committee Google group:
<https://groups.google.com/d/forum/anc1a-education-committee>

From: Jamie Solomon <[xx](#)>
Sent: Thursday, February 22, 2018 10:19:47 AM
To: Planning; Miller, Christine (SMD 1A05)
Cc:xx
Subject: BZA case #19734

Dear Office of Planning and ANC 1A,

Please see attached pdf file of the Special Exception BZA case that has been filed for 1432 Newton Street NW. Please feel free to contact me to discuss any issue or questions you may have.

Sincerely,

James Solomon AIA LEED AP BD+C

JC Solomon LLC
202.903.8314

[xx](#)

From: Miller, Christine (SMD 1A05) <1A05@anc.dc.gov>
Sent: Thursday, March 8, 2018 11:47 AM
To: Angel Donchev <xx>
Cc: James Solomon <xx>
Subject: Re: 1432 Newton St Special Exception

Good Morning,

Thank you for all of your diligence on this matter, I know the renovation process is already challenging enough, and I appreciated the letter you sent (and the hand drawing was very helpful). Unfortunately, I received an email the other day from an owner at 1430 who is not going to approve it and has informed me that the HOA is going to apply for party status at the hearing. I also had a few questions it would be helpful to have answered and that have been asked by other commissioners.

I don't know if the HOA (I saw that one owner was okay with the development) has reached out to you or your attorney, yet, but I have offered to meet with him in person to discuss concerns further, and I was hoping we could coordinate a meeting for all concerned parties?

The ANC had their pre-meeting this week, and I asked to have it put on next month's meeting, April 11th. I can still have you added to this month's agenda, but as I mentioned at our first meeting, many commissioners will not vote for approval if there is a large concern from neighbors, especially without an attempt to find reasonable and satisfying compromises. My experience is that both parties can usually accomplish this with a thoughtful discussion.

Thank you and best,

Christine

ANC 1A Commissioner/ Single Member District (SMD) 1A05
1a05@anc.dc.gov / Twitter: @MillerANC1A05
<https://www.facebook.com/MillerANC1A05/>

Please visit or join our new ANC 1A Education Committee Google group:
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From: Angel Donchev <xx>
Sent: Thursday, March 8, 2018 12:41:00 AM
To: Miller, Christine (SMD 1A05)
Cc: James Solomon
Subject: 1432 Newton St Special Exception

Ms. Miller,

It was nice to meet you at the last ANC meeting. I am writing as I want to confirm that I am on the schedule to answer any questions from neighbors about my project on the upcoming ANC meeting. I also wanted to relay to you my efforts in trying to get a response from my neighbors with regard to the proposed third floor addition.

I stopped by and met the vast majority of my neighbors last year, and told them about the upcoming addition, and that they will be receiving detailed plans for me. I sent them the plans back on January 24, 2018 via certified mail along with the required DCRA documentation. Since then I have been in touch with some of them on and off via E-mail, answering some additional questions that they had, and have offered multiple times to meet with them to discuss the project in person. So far no-one has expressed any desire to meet with me. I have received back one letter from the neighbor in Unit 401 at 1432 Newton, who would be most impacted by the addition as his unit is on

the same level as the addition. In that letter he has acknowledged that he does not object to the proposed work and has granted me access to his property to do the work (see p1 in second attachment).

I also took your advice and tried to connect with the owner of 1431 Monroe, whose rear yard abutts mine. Unfortunately, that house appears to be vacant, so I have also sent him a certified letter with the plans.

I am attaching the communication I have sent the neighbors via certified mail for your reference. At this point I don't know what else I need to do to get them to respond to me. Any ideas? Please let me know if there is anything else you need form me in advance of the ANC meeting next Wednesday.

Thanks,

Angel

Good Morning,

I met with the HOA at 1430 Newton last night, and they along with a number of other residents along Newton and Monroe are planning on petitioning the planned build out. Of specific concern is the proposed development's impact on neighboring properties' access to light and their privacy.

I have asked for the opportunity for everyone to meet and discuss concerns and potential solutions. Would either this coming Monday or Tuesday evening work for you? I think I can find a location if either of these times work.

Thank you and best,

Christine

ANC IA Commissioner| Single Member District (SMD) IA05

1a05@anc.dc.gov | Twitter: @MillerANCIA05

<https://www.facebook.com/MillerANCIA05/>

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Good Morning,

I wanted to touch base and let you know I've set a time to meet for Tuesday, March 27th at 7:00 PM with a tentative location of Letena Restaurant on 14th and Park Road. I'll confirm a space with the owner today and send out reminders for everyone.

Best,

Christine

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From: Angel Donchev <[xx](#)>

Sent: Tuesday, March 20, 2018 12:49:09 PM

To: Miller, Christine (SMD IA05)

Cc: Jamie Solomon

Subject: Re: Resident / Neighbor Meeting

Christine,

Thank you for interfacing with the neighbors on my behalf. Yes, I am available both days. Please let me know which day would work best for you and the neighbors and where we should meet.

Angel

> On Mar 20, 2018, at 8:24 AM, Miller, Christine (SMD 1A05) <1A05@anc.dc.gov> wrote:

>

> Good Morning,

>

> I met with the HOA at 1430 Newton last night, and they along with a number of other residents along Newton and Monroe are planning on petitioning the planned build out. Of specific concern is the proposed development's impact on neighboring properties' access to light and their privacy.

>

> I have asked for the opportunity for everyone to meet and discuss concerns and potential solutions. Would either this coming Monday or Tuesday evening work for you? I think I can find a location if either of these times work.

>

> Thank you and best,

>

> Christine

>

> ANC 1A Commissioner/ Single Member District (SMD) 1A05

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>

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Begin forwarded message:

From: Angel Donchev <xx>

Subject: 1432 Newton

Date: March 28, 2018 at 12:04:58 AM EDT

To: Peter Colum Casey <xx>, xx, xx, xx, xx, xx

Cc: Christine Miller <1A05@anc.dc.gov>

Peter, Stephanie, Lisa and Karl,

Thank you for meeting with me this evening on behalf of the homeowner's association and sharing with me your concerns related to the proposed addition. I feel like we had a good brainstorming session, and I hope the compromise I proposed with scaling back the addition a bit so as not to impair the view of the sky from your bedrooms would work for you. I have instructed my architect to re-do the drawings based on our discussions, and will circulate to the group as soon as possible. In addition, as promised, tomorrow I will get to the property and take some photos of the exact location of the windows relative to the proposed revised addition and will send to you so you can get a sense of where the exact location would be.

As it relates to my tenants, now that we are all in contact, please do not hesitate to let me know if they are being problematic in any way in the future. The guys who live there currently will most likely move out at the end of next month, and I will put provisions in the lease for my next tenant that they should not be loud in the rear yard past midnight on weekends and past 10pm on weekdays, if those hours work for you. After one warning, they will start incurring fines, which will hopefully discourage such activity in the future.

My email is xx@gmail.com and my cell phone number is xxx if you need to reach me.

Thank you for working through this with me. Angel

Thu 3/29/2018 11:09 AM

From: Angel Donchev <[xx](#)>,
To: Peter Colum Casey <[xx](#)>; [xx](#); [xx](#); [xx](#); [xx](#); [xx](#); [xx](#)
Cc: Christine Miller <1A05@anc.dc.gov>
Subject: Re: 1432 Newton

Dear Neighbors,

Attached are the revised drawings per my conversations with some of you on Tuesday evening. I hope this compromise addresses the bulk of your concerns. As I mentioned in the meeting, I will have strict provisions in my lease on the usage of the rear deck/balcony to the extent that such usage generates excessive noise, including assessing fines on the tenants. I would propose a 10pm cutoff for any noise generating activities on the deck/balcony - let me know if that works for you.

In addition, I got on the roof and measured where the revised addition will go to relative to your bedroom windows - I marked it with a black marker and I believe only Lisa and Karl will be able to see it from their window, but attached are some pictures so you can get a sense. The revised addition will go up to where the tape measure ends in the picture (where the black marker lines are). If you have any questions on any of this, please call or email.

Once you have reviewed, let me know if you are willing to support me with the attached plan, and also I would appreciate it if you let the rest of the neighbors you have been in contact with of the revision as I don't have any of their contact information (if you can put me in touch with them, I can reach out directly as well).

Thanks, and again, I appreciate you working through this with me.

Angel
202-531-2021

Begin forwarded message:

From: "Miller, Christine (SMD 1A05)" <1A05@anc.dc.gov>
Date: March 31, 2018 at 16:24:12 EDT
To: Angel Donchev <[xx](#)>, "[xx](#)" <[xx](#)>
Subject: Re: 1432 Newton revised plans

Good Afternoon,

I really appreciate your willingness to work with and comprise with your neighbors. From the conversation it seems like this addresses most everyone's, and I will reach out and confirm with them. If we can get everything in order with the BZA and confirmation from the HOA and those who signed the original petition - I will work with Peter on this, but it sounded like these changes along with meeting and hearing your story was satisfactory.

Don't worry about not being able to be there, if Jaime can be there, that will be fine. I will certainly communicate how much effort you have put into working with and compromising with neighbors. I'll touch base in a couple of days to follow up.

Thank you and best,

Christine

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<https://www.facebook.com/MillerANC1A05/>

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From: Angel Donchev <[xx](#)>
Sent: Thursday, March 29, 2018 1:49:16 PM
To:
Cc: Miller, Christine (SMD 1A05)
Subject: 1432 Newton revised plans

Donna,

Attached are the revised plans per our conversation today. After talking to Peter and the rest of the HOA at 1430 Newton, my wife and I decided to scale back the proposed addition a bit, and put a balcony/deck in the back, instead of doing it on the roof. Let me know if you have any questions I can answer after you review and discuss with Percy.

If you are ok with these, would love to get your support for the BZA meeting, which by the way is on 4/18/18 at 9.30am.

Whether you have concerns we should talk about or if you are good with it, please let me know regardless so we can address those before the BZA meeting.

Thank you and please confirm receipt of this email.

Angel

Hi everyone,

Based on conversations with Peter and Lisa the past couple of days, it sounds like the revised plans I sent are acceptable for their units. Per my conversation with Peter, the railing on the rear deck/balcony will be metal to allow for as much light to pass through it as possible. I have not received any feedback from the rest of you on the revision, so if you have any remaining concerns please let me know. If not, I would appreciate it if you can fill out and sign the attached support letter and either send back to me a scanned copy of it, a picture or I can stop by to pick it up (attaching word and PDF versions for convenience). I am also looping Donna from 1434 Newton in this E-mail so we have all neighbors in the loop on this.

Peter has graciously offered to update the remaining neighbors from whom he collected signatures with the revised plans I sent.

Thank you all for working through this with me.

Have a good rest of the week!

Angel

Begin forwarded message:

From: Karl Eckhart <[xx](#)>
Date: April 9, 2018 at 6:13:32 AM EDT
To: Angel Donchev <[xx](#)>
Subject: **Re: Revised plans 1432 Newton**

Hello Angel. Yes we are ok with the new design. Will send the document today.

Thank you.

Karl

On Apr 6, 2018, at 11:26 AM, Angel Donchev <[xx](#)> wrote:

Lisa/Karl,

Could you please confirm that you are good with the revised plans for the 1432 Newton third floor rear addition and deck? Would appreciate it if you can send back to me that letter of support I sent out a couple of days back.

Thanks and have a good weekend!

Angel

Begin forwarded message:

From: Peter Colum Casey <[xx](#)>
Subject: Re: Revised plans 1432 Newton
Date: April 9, 2018 at 11:04:56 AM EDT
To: Angel Donchev <[xx](#)>
Cc: Stephanie Kozikowski <[xx](#)>

I haven't had anyone object to it. Both John Poole (our neighbor behind) and Percy (our neighbor at 1434) have affirmed their support for the project to me. I do need to follow up with the folks at 1438, who did not leave an email, but I believe they'll be supportive given the provisions.

On Mon, Apr 9, 2018 at 10:20 AM, Angel Donchev <[xx](#)> wrote:
Peter,

Also want to check with if you had any follow up conversations with the remaining people who signed the original petition and whether they are ok with the revised plans? Please let me know.

Thanks,

Angel

On Apr 9, 2018, at 10:04 AM, Peter Colum Casey <[xx](#)> wrote:

Hi Angel,

I added couple items to the letter including the noise provision you put into your lease and the starting Saturday construction after 9AM, as we discussed when we met. Please let me know if either is an issue for you. Letters of support from Stephanie and me are attached.

I also emailed each of the residents who provided an email address when they signed the petition and let them know that we'd come to an agreement. I haven't had anyone raise concerns, so I think we're good to move forward.

Thanks,
Peter

On Fri, Apr 6, 2018 at 11:29 AM, Angel Donchev <[xx](#)> wrote:
Peter/Stephanie,

Just following up on my conversation with Peter the other day. Can you please confirm that you are good with the revised plans for the 1432 Newton third floor rear addition and deck? Would appreciate it if you can send back to me that letter of support I sent out a couple of days back.

Thanks,

Angel

<Neighbor Support Letter - 1432 Newton - skozikowski.pdf><Neighbor Support Letter - 1432 Newton - pccasey.pdf>

END OF EMAIL CORRESPONDANCE AS OF 4-9/18