Real Estate | Zoning | Land Use | Litigation

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July 17, 2024

## Via IZIS

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

## Re: Party Status In Opposition's Request for Additional Information - BZA Case No. 21132

Dear Chairperson Hill and Members of the Board:

The Applicant in this case has provided further information to the record; however, the adjacent property owner is requesting the following additional details:

- **Shadow Studies:** The Applicant submitted shadow studies at Exhibit 34H1, 34H2, and 34H3, which only depict shadows at just one point in the day. It is standard practice before the BZA for a shadow study to show various times throughout the day.
- **Sight-line Diagrams:** We request the submission of sight-line diagrams.
- Additional Details on the Metal Screens: While some information has been provided, we request further details, including a clearer photograph and confirmation of the screens' permanence. If approved, we request this be included as a condition.
- **Rental Contract Clause:** We request the inclusion of a clause stipulating that the screens will not be removed.
- **Historic Restrictions:** We request confirmation from the Applicant, in consultation with the Historic Preservation Office (HPO), that the screens comply with historic preservation regulations.
- **Glazing of Windows:** We request that the Applicant covers the cost of glazing the windows at 1709 17<sup>th</sup> Street, NW.
- **Drainage Plan:** We request information on how the Applicant plans to address drainage issues resulting from the adjacency of the buildings.
- **Property Access Concerns:** There was a discussion in the previous hearing about placing plants on the roof of 1641 R Street, NW. This raises liability concerns for the opposing party regarding tenants potentially climbing and falling off the roof of 1709 17th Street, NW. We request options to mitigate this risk, such as installing a fence or railing to block access.

Respectfully Submitted,

Alexandra Wilson

Alexandra Wilson Sullivan & Barros, LLP

**EXHIBIT NO.35** 

## **CERTIFICATE OF SERVICE**

I hereby certify that on July 17, 2024, an electronic copy of this submission was served to the following:

D.C. Office of Planning Crystal Myers <u>crystal.myers@dc.gov</u>

Advisory Neighborhood Commission 2B

Meg Roggensack, Chairperson 2B01@anc.dc.gov

Vincent E. Slatt, SMD 2B03@anc.dc.gov

**Applicant** 

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Respectfully Submitted,

Sarah Harkcom, Case Manager Sullivan & Barros, LLP