

John Patrick Brown, Jr., Esq.
jpb@gdllaw.com

Lyle M. Blanchard, Esq.
lmb@gdllaw.com

July 24, 2024

VIA IZIS

Mr. Frederick Hill, Chairperson
D.C. Board of Zoning Adjustment
One Judiciary Square
441 4th Street, N.W.
Suite 210 - South
Washington, D.C. 20001

Re: Applicant's Response to Request for Additional Information
BZA Application No. 21132
1641 R Street, N.W.
Square 0178, Lot 0097 ("Property")

Dear Chairperson Hill:

On behalf of Marwick Associates, LLC (the "Applicant"), we respectfully provide the following response and additional information requested by Mr. Abdollah Poozesh at 1709 17th Street, N.W.

Specifically, below are the enumerated requests and the Applicant's responses in italics.

- **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.

As requested, the attached shadow studies comparing the BZA approved and as-built condition are provided for the Summer Solstice, Spring Equinox, Winter Solstice and Fall Equinox at 10:00 am, 12:00 pm and 2:00 pm. The shadow studies, like the earlier set, show little or no impact on light and air. [Exhibit A](#).

- **Sight-line Diagrams:** We request the submission of sight-line diagrams.

The Applicant has requested that Mr. Poozesh specify which sight lines he has requested. In BZA 20042, the Applicant provided sight line drawings demonstrating that the proposed penthouse addition would not be visible from 17th Street and R Street (BZA 20042, Exhibit 41), but the penthouse is not relevant to this application.

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- **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.

Attached is a better quality photograph of the proposed clover leaf design metal screen. Exhibit B. More detailed information on the metal screen can also be found at <https://www.mcnichols.com/perforated-metal/designer-perforated/carbon-steel-cs-16820020?rbl=3443230987&cId=101>. The screens will be not more than 51% open area and be permanently affixed to the building. This can be included as a condition to the BZA approval. Two options are offered for the screen installation. First, a screen 6 feet high as measured from the floor of balcony can be installed. Or second, a 3 foot high screen can be installed above the 42 inch high balcony railing resulting in a screen 6.5 feet high.

- **Rental Contract Clause:** We request the inclusion of a clause stipulating that the screens will not be removed.

The standard rental contract for the building will include customary language below that no fixture, including the metal screens, can be removed or altered by the tenant.

ALTERATIONS:

Tenant, without the prior written permission of the Landlord/Agent, will not remodel or make any structural changes, alterations or additions to the premises; will not paper, paint or decorate; will not install, attach, remove or exchange appliances or equipment, such as air conditioning, heating, refrigerator or cooking units, will not drive nails or other devices into the walls or woodwork (except for a reasonable number of picture hangers); and will not change the existing locks of the premises or install additional locks. In any such instance where permission is granted, it shall be incumbent upon the Tenant to secure the necessary permits or community association permission. If the premises are subject to a community association, Tenant may not install anything on any common element.

- **Historic Restrictions:** We request confirmation from the Applicant, in consultation with the Historic Preservation Office (HPO), that the screens comply with historic preservation regulations.

The Office of Planning in its Supplemental Report, Section VII, stated "Historic Preservation staff reviewed the plans and had no objection to the requested relief." BZA Exhibit 36. Final confirmation from HPO will be provided during the building permit application process.

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- **Glazing of Windows:** We request that the Applicant covers the cost of glazing the windows at 1709 17th Street, NW.

The Applicant has requested Mr. Poozesh specify which windows he is seeking glazing for. The Applicant, is generally amenable to providing a not to exceed allowance for window glazing costs to be reimbursed after installation. In the interim, the not to exceed amount will be held in escrow by Greenstein Delorme & Luchs, P.C. in its trust account.

- **Drainage Plan:** We request information on how the Applicant plans to address drainage issues resulting from the adjacency of the buildings.

All storm/rainwater within the 1641 R Street footprint is captured and processed within the building. The Applicant has also asked Mr. Poozesh to identify any specific drainage concerns he is experiencing as a result of the as built condition of 1641 R Street.

- **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.

There are no plants on the roof of 1641 R Street and no plans to install any. None of the contiguous buildings on 17th Street and R Street have roof railings between the properties. Installation of railing between 1641 R Street and 1709 17th Street is not necessary as access to the roof at 1709 17th Street is effectively blocked on the Applicant's side by HVAC equipment. Any railing would have to be installed on Mr. Poozesh's property by him.

If the Applicant receives additional requested information from Mr. Poozesh, we reserve the right to supplement this response prior to or at the public hearing.

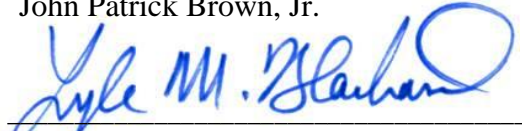
Thank you for your assistance in this matter. If you have any questions, please do not hesitate to ask the Office of Zoning staff to contact the undersigned.

Sincerely,

GREENSTEIN DELORME & LUCHS, P.C.



John Patrick Brown, Jr.



Lyle M. Blanchard

CERTIFICATE OF SERVICE

I hereby certify that on July 24, 2024, a copy of this Applicant's Response to Request for Additional Information was filed in IZIS and electronically served on the following:

ANC 2B

Ms. Meg Roggensack, Chairperson (2B01@anc.dc.gov)

Mr. Vincent Slatt, SMD 2B03 (2B03@anc.dc.gov)

2B@anc.dc.gov

Ms. Jennifer Steingasser

Mr. Joel Lawson

Ms. Crystal Myers

D.C. Office of Planning

1100 4th Street, SW

Suite E650

Washington, D.C. 20024

(Electronically: jennifer.steingasser@dc.gov; joel.lawson@dc.gov; crystal.myers@dc.gov)

Mr. Erkin Ozberk

D.C. Department of Transportation

55 M Street, SE

Suite 400

Washington, D.C. 20003

(Electronically: erkin.ozberk1@dc.gov)

Martin Sullivan, Esq.

Alexandra Wilson, Esq.

Sullivan & Barros, LLP

1155 15th Street, N.W.

Suite 1003

Washington, D.C. 20005

(Electronically: msullivan@sullivanbarros.com; awilson@sullivanbarros.com)



John Patrick Brown