

April 18, 2025

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

**OPPOSITION SUBMISSION - BZA Case No. 21262 – 2728 O  
Street, NW**

Dear Chairperson Hill and Members of the Board:

Regarding the Board's request for additional information from the Applicants, we submit the following.

1. Drawings and images were provided by the Applicants identifying and depicting the proposed frosted windows, which were intended to address privacy concerns. **Unless the BZA intends to include these frosted windows in an easement, they are meaningless, and afford us no real privacy protection.** Without such permanent legal language, there will be nothing to stop the applicants themselves, or future owners, from changing the windows to clear glass at any point in the future.
2. We have 6 windows and 1 glass door facing north, for a total of 7 exposures to the Applicants. As the Applicants provided renderings of what we *would* see with their addition, we thought it only fair to show what we *do* see now. These images are arranged from the top floor to the bottom floor, and from east to west. (\*Please see gallery of photos below depicting north-facing views from 1359 28th Street, NW.)
3. Finally, the Applicants submitted a letter from their project architect regarding OGB's concept approval. However, they did not actually provide any official documentation from OGB/CFA. It was our understanding from the April 2, 2025 BZA hearing that the original

OGB/CFA Recommendation Letter was being requested, not the project architect's interpretation of it.

We vehemently disagree with the Applicants' and the Office of Planning's conclusion that the proposed addition would not unduly impact our privacy, use and enjoyment of our property, and available light and air. *The loss of these would not be incremental; it would be monumental.* The proposed addition would significantly and negatively impact the quality of our own lives, and blight the entire block. Therefore, as the Applicants do not meet the necessary criteria, we beseech you not to grant the two special exceptions sought for lot occupancy and rear yard requirements.

But to end on a positive note, because we are eager to be good neighbors, Jamie would like to offer his services as a licensed real estate agent free of charge to the Applicants. That way, they can simply find the perfect house in Georgetown that is adequate for the needs of their growing family. This would ensure a happy outcome for everyone involved.

Respectfully yours,

April Lynn Bowler and Jamie Peva

# 1. 3rd Floor Bedroom Window



The ENTIRE SPACE shown in this photograph would be filled by the proposed addition. In that 16 ft-wide white-brick area shown, the Applicants are currently living 15.4 ft away from us behind an almost solid brick wall. With the proposed addition, their lives - with their attendant noises, movements, artificial lights, odors, etc. - would be only 9.3 ft away. This is an exponential decrease in privacy from our vantage point. The loss of privacy would be keenly felt everywhere in our house.

## 2. 2nd Floor Rear Bedroom Window



We implore the BZA to weigh heavily that there is 100% neighbor opposition and 100% ANC opposition in this case. This unanimous objection centers on the proposed addition *exacerbating an already nonconforming condition*, as the Applicants' existing structure currently has a nonconforming lot occupancy of 64.6%. There is a large, unified body imploring the BZA to deny the 2 special exceptions sought.



### 3. 2nd Floor Middle Bedroom Window



This photo, compared to the Applicants' final rendition of the proposed addition, unequivocally demonstrates that our privacy will be **unduly** affected. In fact, it will be destroyed. The, privacy, light, and air afforded by this open space on the north side of our property are what drew us to make this purchase. The proposed addition would completely fill in the area shown and overwhelm us - and bring the Applicants' living area almost close enough for us to touch. It will ruin our own house for us.

#### 4. 2nd Floor Full Bathroom Window



Filling in this empty space with solid matter - the Applicants' proposed addition - would both absorb natural light, as well as reflect it, creating harsh glare. The Applicants' sun study does not address these deleterious effects. The sun study is misleading, as it examines only shadows, and not the character of light itself. Our natural light would be significantly diminished, along with our air and our privacy. We would never have purchased our house, had the dense proposed addition existed in 2013.

## 5. Rear Kitchen Glass Door



With 7 different north-facing exposures to the Applicants, there is no floor of our home that would not be devastatingly impacted by the proposed addition. There is quite literally nowhere that we can go to get away from it. The loss of privacy, light, and air would impact every part of our daily lives as we move about our home. It is impossible to quantify this diminution. From morning to night, throughout all of our activities of daily living, we would acutely experience this deprivation.



## 6. 1st Floor Powder Room



The looming 9 ft-wide red-brick section of the Applicants' structure is already 9.3 ft away from us. The photo shows just how close and imposing it is in actuality. It dominates our view. It is undeniable that permitting the rest of the Applicants' structure (a broad 16 ft-wide section) to come within 9.3 ft would be an **undue** compromise of our privacy, light, and air, and result in loss of use and enjoyment to us.



## 7. 1st Floor Dining Room



This photo is the best depiction of our potential loss of privacy. That glass window on the left - that is where the Applicants are currently living their lives - 15.4 ft away. The proposed addition would bring their talking, laughter, ringing phones, barking dog, tv noise, music, myriad artificial lights, food smells, etc., essentially right next to us! It is the encroachment of their actual dwelling that constitutes our greatest loss of privacy - and it would decimate our quality of life in our own home.

8. **Bonus View** - Applicants' Screened Porch \*VISIBLE from Sidewalk of 28th Street, NW



The Office of Planning's report boldly asserts that \**"the addition would not be visible"* from 28th Street, NW. This is patently false, as the current screened porch clearly is! Obviously, the Office of Planning did not actually visit 28th Street, NW, in person. Sadly, this calls into question the veracity of other statements posited by the Office of Planning.

## **CERTIFICATE OF SERVICE**

We, April Lynn Bowler and Jamie Peva, hereby certify that on April 18, 2025, the following individuals were served via email:

DC Office of Planning - Ron Barron

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Advisory Neighborhood Commission 2E ANC Office

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Commissioner, SMD 2EO6, Chair - Gwendolyn Lohse

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