

21326

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Date Tue 9/30/2025 1:00 AM

To DCOZ - BZA Submissions (DCOZ) <DCOZ-BZASubmissions@dc.gov>

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**RE: 3536 Whitehaven Pkwy**

letter in opposition 21326

**The applicant is asking for Special Exception's (SE) to add a 23' rear addition to the current house** and add an accessory building garage/apartment. The project will also include a matter-of-right (MOR) 3rd floor, a roof deck and additional decks on each of the three floors plus a covered porch on the main floor. The most recent plans were just submitted on September 17 and Sept. 23 and 29th. A postponement has been requested.

**I oppose the 16' Special Exception addition and the garage/apartment.**

**I have lived at 3542 Whitehaven Pkwy, next to the abutting house, for 15 years.**

**The 16' rear addition request is 60% beyond the MOR.** That abutting neighbor has a 7' enclosed porch only on the main floor. **The actual addition requested is 16' from my neighbor's 1st floor, but would extend 23' from the cellar and 2nd floor rear walls and from the applicants original house. It would double the size of his house.**

Only 3 houses will be substantially affected by this application, the 2 abutting neighbors' properties and mine which is 16.88' east of the proposed addition. My rear wall is even with my neighbor's so the 16' will extend that far beyond my house, actually 32' with the 1st floor porch and deck.

*General development standards D 207, D 5201*

D 207.4 states "the rear wall of a row house... shall not be constructed to extent further than 10 feet beyond the furthest rear wall of any adjoining residential building on any adjacent property. ".

*Special exception review standards D 5201, 901*

D 5201.4 an application for special exception relief shall demonstrate that the proposed addition... shall not have a substantially adverse effect on the use or enjoyment of any abutting dwelling, adjacent dwelling or property, specifically

- (a) The light and air available to the neighboring property shall not be unduly affected
- (b) the privacy of use and enjoyment of neighboring properties shall not be on unduly compromised:

The proposed building wall is 23' wide from the applicants house and about 45' high from ground to the new roof deck. The mass of this building will have an undue impact. It will

1. block the airflow which is prevailing from west to east in DC. My 1st floor deck and yard will have airflow blocked by the sheer size of the house wall.
2. reduce the light - shade especially in winter afternoons and somewhat compromise my solar panels' production.
3. and most importantly, impact the privacy of our houses and back yards.

The applicant's statement on privacy states "that all decks are provided take advantage of an exceptional view to the south and because of their location do not facilitate views into adjoining properties". The "exceptional view" would be the same from a MOR 10' addition but would have a lesser impact on the neighbors and particularly our privacy.

The 8' deck extending beyond the 8' covered porch on the 1st floor will extend 39' beyond the original house and will be 19' above the natural grade of the rear yard thus situated above all of our yards and patios.

With open decks off 3 levels and on the roof, anyone on any of those 343 degree viewing decks has only to look down, up or back and have unimpeded views directly into all of our 1st and 2nd floor living room and bedroom windows as well as on our patios, yards and decks.

There will be no privacy for any of us, only the applicant because his addition will significantly extend beyond all of our houses, decks and yards.

X-902.2 says that

(a) special exception can be granted if it will be in harmony with the general purpose and intent of the Zoning Regulations...

(b) will not tend to affect adversely the use of neighboring properties and accordance with Zoning Regulations.

I will be able to use my backyard but with no privacy for entertaining or gardening. There are fences between yards at the cellar level, but with new viewing decks on the first, second, third floors and roof, privacy is completely compromised. All of my rear windows will be in their direct line of sight with minimal effort.

X 901.3 the applicant for special exception, shall have the full burden to prove no undo adverse impact and impact...."

Board of Zoning Adjustment  
District of Columbia  
CASE NO. 21326  
EXHIBIT NO. 42

I believe that it is obvious from the plans with an open deck on every floor and the roof proves that in fact, there will be an undue adverse impact on all the neighbors with respect to our privacy. One has to deny common sense to prove "no undue adverse impact."

The latest exhibit 39C just submitted on the 9/29/25 shows a rendering that does not accurately represent the natural slope of the rear yard, if that is what is intended. The steep slope starts just 6' beyond a 16' addition. The pier for the deck 8' beyond the 8' covered porch will rise about 19' above the natural grade of the slope near the double tree. If the slope is filled in, it will still hover 19' above my and my neighbor's yards. The lengths below are shown from the rear wall of this abutting house.

The ANC just denied this application after hearing arguments from neighbors as to the impact on them and the neighborhood. There are about 50 houses and 1 garage/apartment on the T st /Whitehaven Alley. It has been there about 40 years and was grandfathered in. This type of added density will not help to maintain the character and charm of Burleith. I know OP approves most all applications to add density to our City. I hope the BZA will consider all the ramifications to the neighbors and to Burleith when considering this application.

Respectfully,

Gail Juppenlatz  
3542 Whitehaven Pkwy NW.



Deck end

covered porch ends



