
BZA Case No. 21360

From tal3892@aol.com <tal3892@aol.com>

Date Sat 10/18/2025 9:15 PM

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

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To Whom it May Concern:

I am writing in strong opposition to BZA Case number 21360. My home sits directly behind the proposed house, within Eton Court (1238 Eton Court).

I will provide my direct response to the portion of the memorandum sent to the BZA from Philip Bradford on October 16, 2025 in **red writing**:

5201.4 An application for special exception relief under this section shall demonstrate that the proposed addition, new principal building, or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, specifically:

(a) The light and air available to neighboring properties shall not be unduly affected;

The proposed building should not unduly affect light and air available to neighboring properties. The square is densely developed with row dwellings, multi-family, and mixed-use properties, in a configuration that already casts shadows across properties. The applicant has provided a shadow study in [Exhibit 19](#) demonstrating the impact of the proposed construction.

The light study that was conducted did not include an ambient light study. An ambient light study shows how much natural light an entire property will receive from different angles throughout the day and year, and the potential for light pollution affecting neighbors, which a regular light study for a single room does not. This is crucial for building near other homes because it analyzes how the proposed dwelling will cast shadows on both my property and my neighbors existing properties. A regular light study, which is what was conducted, focuses on the general or task illumination within a single room and does not address the external, cross-property impact of light.

(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;

Due to the configuration of the square with a condominium complex located at the center, surrounded by row dwellings, and other mixed-use properties, none of the existing properties have a high degree of privacy that would be impacted by the addition of a single additional property on this vacant lot. Therefore, privacy of use and enjoyment of neighboring properties should not be unduly compromised.

The specific reason I bought the house I live in is because of the privacy I have with it being off of the street. With a property being built directly in front, I will lose all sense of privacy in my home.

Board of Zoning Adjustment
District of Columbia
EXHIBIT NO. 24

(c) The proposed addition or accessory structure, together with the original building, or the new principal building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the street or alley frontage; and

This would be the only building in the square to front Prospect Street NW, as the adjacent properties face the street with their side yards. Properties do face Prospect Street NW on the adjacent block face, and the proposed building would be compatible with the scale and pattern of these buildings. The applicant also has conceptual approval from the Old Georgetown Board under Case Number [OG 25-111](#) further demonstrating that the design is appropriate for the location.

(d) In demonstrating compliance with paragraphs (a), (b), and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.

The applicant has provided plans, photographs, and a sun study sufficient to represent the relationship of the proposed new building to adjacent buildings and views from public ways.

The owner of the proposed structure, "M Street & Associates" aka Peter Mallios, is also the President of the Eton Condo Board. He has been trying to get this lot zoned for years so that he can sell it. Peter falsely sent the OGB a letter of support in the spring on behalf of the Eton Board so that he will get approval for this proposed dwelling upon his "Lot". Peter has said that there is no easement on the lot to allow for access into Eton Court and has threatened his own unit owners in the below email that was The sent to Eton Court unit owners on September 9, 2025:

Dated: 9/29/2025

Community: Eton Condominium

Hello Eton Condominium residents,

The Eton Condo Board is making you aware that the owner of the Prospect Street Lot (the "Lot") has requested a letter of support from the Eton Board for the commercial development of a free-standing dwelling on that Lot-- which is not associated with Eton Condo. Without a letter of support from Eton Condo, the Lot owner has shared that he may terminate access across his Lot, resulting in a permanent closure of the Prospect Street gate. The Eton Board believes it to be inappropriate to either support or oppose this matter at the present time, and will take no position relative to the Lot's development. The Board's interest, duty and focus relate solely to our unit owners and continuing access to the Prospect Steet gate.

Given what's at stake, we are calling a Special Board of Director's Meeting and kindly invite unit owners to input/comment in to our one agenda item—possible blockage of Lot access and its implications.

Please join us virtually this Thursday, October 2, 2025, at 6:30 pm EDT. We also urge you to share this note with your tenants.

We appreciate your attention to this matter and look forward to our dialogue.

Eton - Unit Owners Meeting

Thursday, October 2 · 6:30 – 7:30pm

Time zone: America/New_York

Google Meet joining info

Video call link: <https://meet.google.com/pek-mgkc-pgn>

Or dial: (US) +1 937-401-2911 PIN: 732 546 885#

More phone numbers: <https://tel.meet/pek-mgkc-pgn?pin=4200057539938>

Dave Stehlin

Secretary

On behalf of the Eton Condo Board of Directors

Your Building, Our Priority. Thank you for letting us be a part of your community!,
Community Support
support@gordonjamesrealty.com

Also on September 29, 2025, Peter Mallios sent myself and another unit owner an email below:

From: Pete Mallios <pete@malliosrealty.com>
Sent: Monday, September 29, 2025 9:30 AM
To: Cassandra Pena <cp@cassandrapena.us>; J.P. Mohler <johnpmohler@gmail.com>
Cc: tal3892@aol.com <tal3892@aol.com>
Subject: RE: Prospect Street Lot Parking Plan

There is no easement. As the condo has been crossing the property with my knowledge and permission over the past 25 years this doesn't qualify as a prescription easement. That means I have the right to close the access as anytime. While I would like to build a modest house here and the developer has agreed to provide a permanent easement as part of the project. The zone does not really allow any other options besides parking. I will point out that the allowed height in the zone is 35 feet and the current plan is only for a 22 foot high house.

I have agreed to recuse myself from board matters pertaining to issues related to the lot.

It was only on September 29th that Peter "recused himself from the board pertaining to matters related to the lot," which is in direct conflict with his duty to unit owners. Regardless if there is a zoned easement or not on the "lot" an easement of necessity exists upon this lot and Eton Court. Eton Court previously owned the land and when it was designed and built in 1980, it was done so with a staircase leading up to a walkway that directly crosses the property that Mallios declares he is not required to maintain. Thus, how can it be known that the new owner of "the lot" will not also uphold this walkway easement? Additionally, this is the main way that people move in and out of the complex with large furniture. The proposed building will further limit the ability to move from the street into the complex. The number of variances that will be allowed and required for this structure are at burden to the neighbors surrounding this proposed property.

There are so many emails between neighbors, Eton Court unit owners, Board members who are unhappy with this but will not take an official stance because of this conflict of interest that currently exists. I am happy to provide you with any additional communications that have occurred pertaining to this project, or other information you would like to know. Without the backing of Eton Court board to also oppose this project, it feels like our collective voices will not be heard.

Please hear my voice.

Thank you,

Taylor Lipnick
1238 Eton Court, NW
Washington, DC 20007

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