

**From:** Allison Brandt abrandt3809@gmail.com

**Subject:** BZA case No.19728 (121 Tennessee Ave NE)

**Date:** May 23, 2018 at 11:04 AM

**To:** philANC6A@gmail.com, Brad Greenfield brad.greenfield@gmail.com

**Cc:** mikeANC6A03@gmail.com MikeANC6A03@gmail.com, Amber Gove AmberANC6A@gmail.com, stephaniezimnyANC6A@gmail.com, cward6a08@gmail.com, dcanc6a01@gmail.com, spgilbert01@comcast.net, malone6a05@gmail.com, Sig smceagle@aol.com, ronald hudson ronsine007@gmail.com, mcdaley@verizon.net, missy@oldcitydesign.us

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Dear Mr Toomajian and Mr. Greenfield,

This message to you is a follow up to your response to my messages seeking clarification on your committee and commission's ruling in favor of the application for special exception for the building of a non conforming three story addition. In the interest of clarity I will be quoting from portions of both of your emails to me. As I don't think that it would be proper upload your emails to me in their entirety as exhibits in the case, please let me know immediately if you feel that I have misrepresented your words in any way.

I will also refer to an annotated diagram, the unannotated version of which the applicant's architect, Missy Boyette uploaded (on 5/22/18) as an exhibit (#60) in this case. I very much appreciate that she has added this to the case file because, to use an English language-idiom, "a picture is worth a thousand words....". Exhibit #60 is a block diagram with building heights in the vicinity of 121 Tennessee Ave. As well as featuring my home at 123, Mr Daley's home at 119 and Sig and Susan's home at 125, this diagram, it seems to me, perfectly illustrates why we, the immediate neighbors, oppose this project.

The way I look at it the block diagram refutes your assertion that it won't change the character and scale of the neighborhood. You state that "There are already some structures that are constructed to three stories in the alley" and therefore "These conditions led the committee to the conclusion that the proposed addition would not significantly change the character of the neighborhood" (Brad Greenfield, in his message to me (5/17/18) . Of course you did not have the benefit of this easily obtainable diagram at the time that your committee made their decision in favor of the project. One can clearly see from the diagram that there is only ONE other three story addition "in the neighborhood" and its around the bend in the alley from the applicant's proposed three story new addition. There are indeed other three story structures but apart from the three story addition shaded in dark green whose front is on 13th street NE, they are all the original principle dwellings, not additions.

Your message to me indicates that the zoning committee "received correspondence from neighbors" (Phil Toomajian 5/18/18) correspondence which helped in the Commission's decision making process. I would ask you to take a quick look at the diagram below and tell me whether this "correspondence" was in the form of identical pre-drafted letters of support which as you can see from my handwritten annotation, come from supportive neighbors who are not affected by the project. Two of the letters of support are from people whose homes are far enough way that they are not even featured on the block diagram. The neighbor who is directly across the alley from the proposed addition, and who signed the form letter in support, told me that she felt that the project would not impact her home and that she had been assured by the applicant that the structure would not negatively impact my light and air at 123 Tennessee Ave. At the time that the EDZ made its unanimous decision in favor, the committee did not have the "benefit" of all of these letters of support.

In reference to your "hope that you and your neighbors are able to find something that helps you all to continue to live well as neighbors" (Toomajian 5/18/18), this is a nice idea, however the applicant has told both me and the Cohens that there was no adjustment in their plans (besides allowing us to paint the solid brick wall as well like, or something about a "green" solution) that they could make that would allow them to still fulfill their need for more space. The applicant was in no way hostile in stating this, however it does mean that he is a playing a zero sum game- no amount of mural painting or ivy is going to obscure the fact that he wishes to construct a three story brick wall which is going to negatively impact our enjoyment of our homes. I resent the patronizing language that you use in your messages to me- as though we have failed so far to come to some kind of compromise. There was no realistic or viable compromise suggested.

Mr Toomajian, you refer to "another neighbor who is not adjacent who spoke quite a bit repeatedly in opposition (Toomajian 18/5/18) ) at the ANC 6A meeting. Indeed, while his light and air would not be affected by the addition, I would like to point out that he, Mr. Hudson, lives at 137 Tennessee Ave right at the bend in the alleyway where it's likely that construction vehicles will be parked (the alleyway is inaccessible to vehicles on both ends due to its tight angle) and materials and debris will be hauled past the rear of his house for months on end during the project. Mr, Hudson (137 Tennessee Ave) along with the Cohens (125), myself (123) and Mr Daley(119) have all applied for Party Status in Opposition at the BZA hearing which will take place on May 30th 2018.

I write this to you now because i feel an obligation to have my experience on the record for others who might try to voice their legitimate concerns, so that they not be intimidated by your heticoric when they come before your committee and commission. I am tired of being told that the impact that this project will have on me and my neighbors is "not significant". It may not be significant to the applicant, to the members of the EDZ or some members of the ANC6A but it is significant to us. I want future parties in opposition to have the confidence to stand up for their homes and not be repeatedly told things that make them question their own perception. Unfortunately, in preparation for this hearing, I have had to review many many cases in the BZA files which received your rubber stamp. Although the majority are applications that are approved are unopposed, I am truly disturbed by how you forge ahead with approval for this request by one applicant over the strong and persistent objection of several immediate neighbors. There goes.....the neighborhood.

One member of the commission who voted against the ANC supporting the project kindly explained her position to me: she didn't feel that she had sufficiently clear information upon which to recommend support. The EDZ, the architect for the project and the ANCA as a body, have insisted that the applicant has met criteria of the zoning regulations for special exception, however I believe that the fact there there was one vote against and three abstentions indicates that there is more than a little ambiguity about whether this is the case.

Best regards

Board of Zoning Adjustment  
District of Columbia  
CASE NO.19728  
EXHIBIT NO.61

Dear Regard,

Allison Boyer  
123 Tennessee Ave NE  
Washington DC  
20002

See below:





1206

EAST CAPITOL STREET NE

**BZA SUBMISSION**

**OLD CITY DESIGN STUDIO**

1317 D ST, NE WASHINGTON, DC 200  
202.455.6237 OLDCITYDESIGN.L

**CLIENT:**

McGEEHAN RESIDENCE  
121 Tennessee Avenue, NE  
Washington, DC 20002

DATE: 05.22.2018  
SCALE: 1/32" = 1'-0" 0 8

BLOCK DIAGRAM  
w/BLDG HEIGHTS



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