

June 20, 2018

Board of Zoning Adjustment
Suite 200/210-S
441 – 4th Street, NW
Washington, DC 20001

Re: Application for relief by ROK Development LLC at 524 Jefferson Street, NW
BZA Application #19781

Dear Members of the BZA:

We reside at 608 Jefferson St NW in apartment 304, which directly overlooks the roof of the house being considered for development at 524 Jefferson Street NW. We have owned our unit since 2014 and are pleased to see that this adjacent property is being rehabilitated after many years of neglect. However, despite our support for the rehabilitation of the property, we are writing to oppose the plans as currently drafted.

We have thoroughly reviewed the application of ROK Development LLC and believe that the application does not take into consideration the specific impact that the proposed alterations will have on our unit. Specifically, the requirements of Subtitle U§320.2(i), that “any addition shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular; 1. The light and air available to neighboring properties shall not be unduly affected,” have not been considered or addressed.

ROK Development LLC have argued in Exhibit 9, page 4 (see Annex 1) that “the light and air available to neighboring properties shall not be unduly affected.” They proceed to make the argument that the construction of an additional 18ft in the rear of the current structure will not impede the neighbors in either of the adjacent properties. However, the argument completely fails to address any implication that the addition of a 3rd floor will have on the adjacent and adjoining properties. Furthermore, drawings and images presented in Exhibits 6 and 7 of case #19781 fail to adequately demonstrate the true impact that the increase in height of the roof resulting from the addition of a 3rd story will have. The perspective from which the images are presented and the photographs taken neglects to show that 3 of the 7 total windows in Unit 304 currently overlook the roof of 524 Jefferson Street rather than being blocked by the roof. Two of the windows are bedrooms and a third is a bathroom. Throughout the day, but particularly in the mornings, these rooms benefit from direct sunlight as the sun rises in the east over the rooftops of the houses to the east of building 608. To aid with visualization, we have included photos demonstrating this view in Annex 2.a-b. Annex 2.a particularly demonstrates the difference in line of sight that the proposed change would have. Additionally, the image in Annex 2.b demonstrates that the rooms look out over the current structure and are not currently blocked as they are depicted in some of the drawings presented in the case file.

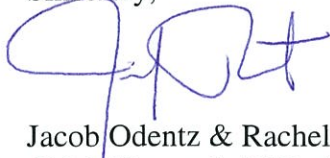
The addition of a 3rd story, which increases the height of the roofline from approximately 27.5ft currently to 33.1ft (see Exhibit 9, page 1 of case #19781 documents) would directly obstruct the line of sight from these rooms, thereby having an adverse impact on the apartment by blocking sunlight from directly entering the apartment during the day and specifically the morning hours. Therefore, the plans as detailed by ROK Development LLC do not in fact support their argument

that the neighboring properties are not affected as required by Subtitle U§320.2(i). To further corroborate this assertion, representatives from ROK Development LLC confirmed, on the record, that the 3rd story addition would have a direct adverse effect on the light entering our apartment during the monthly Advisory Neighborhood Committee 4D Meeting held on June 19, 2018.

In addition to Subtitle U§320.2(i), Subtitle X § 901.2 stipulates that special exceptions “will not tend to affect adversely, the use of neighboring property.” The developers have argued on page 2 of Exhibit 9 of case #19781 that the proposed modifications “will not adversely affect the row dwellings to the east of the Property or the apartment building to the west of the Property. The rear elevation design will improve the views along the alley without compromising the light, air, and privacy of the neighbors.” The applicant specifically introduces the argument in relation to Subtitle X § 901.2 that they will not compromise the “light, air, and privacy of the neighbors.” However, they once again omit mention of the increase in building height, thereby neglecting to address concerns that the addition of a third floor to the existing structure will pose, which will in fact obstruct the light and air.

The District of Columbia Zoning laws are written in a manner that does not automatically permit developers from building as they please. Subtitle U§320.2(l) states that modifications or waivers granted by the Board of Zoning Adjustment “shall not be in conflict with Subtitle U § 320.2(i).” We believe that we have demonstrated that a conflict does currently exist and that ROK Development LLC has not met the required burden of proof that no adverse impact will result from the proposed alterations. We therefore cannot support the project as proposed and ask the Board to deny the request.

Sincerely,

A handwritten signature in blue ink, appearing to be 'J. Odentz' or similar, written over a vertical line that serves as a separator between the signature and the typed name below.

Jacob Odentz & Rachel Klemmer
608 Jefferson St NW, Apt 304
Washington, DC 20011

Annexes

Annex 1. Statement from Exhibit 9: Applicant’s Statement, Page 4:

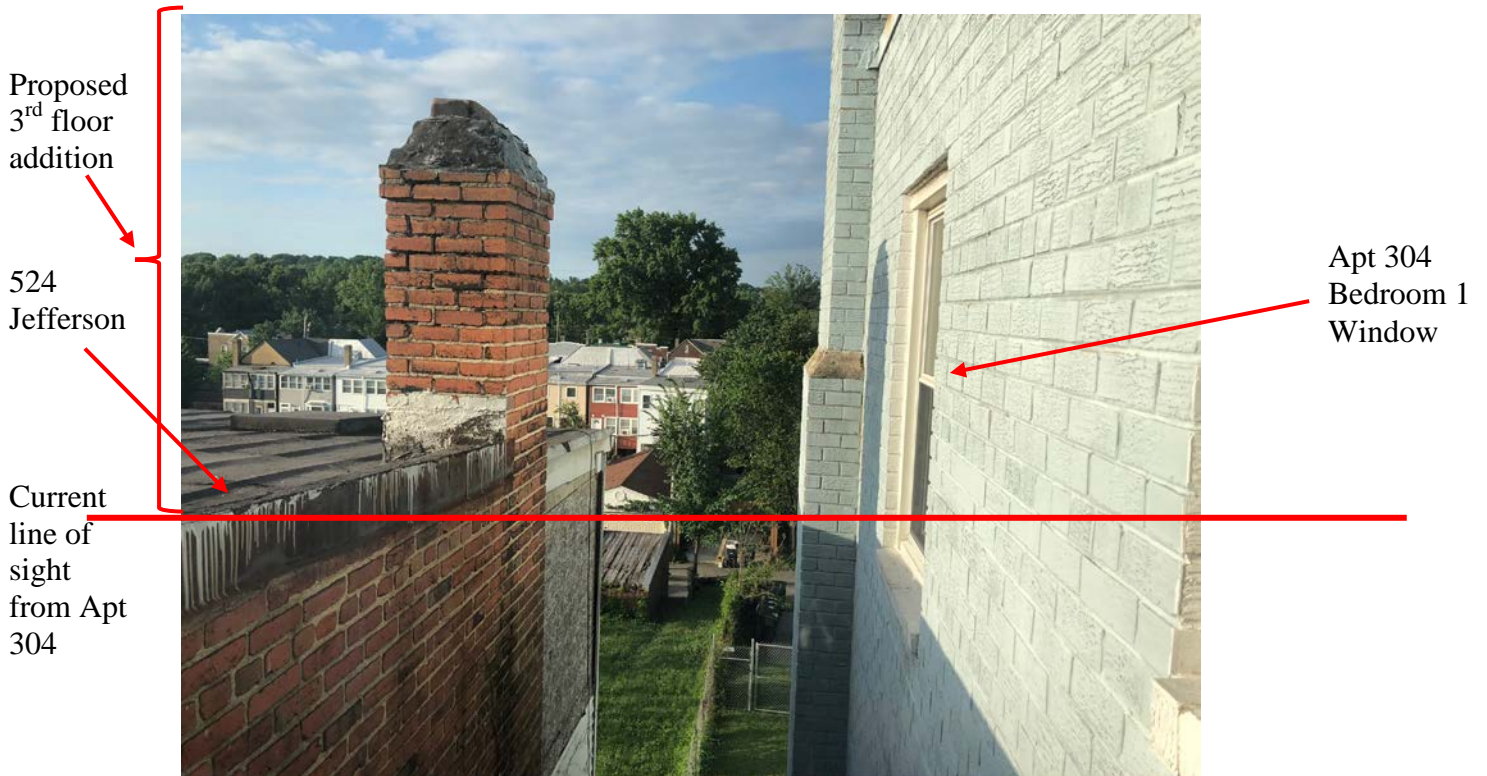
“Section 320.2(i) Any addition shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular;

1. The light and air available to neighboring properties shall not be unduly affected;

The light and air available to neighboring properties shall not be unduly affected. The Applicant is proposing an additional eight feet (8ft), beyond the ten feet (10ft) allowed by right, in rear addition. Along the west property line, the adjacent apartment building is set back from the property line by 9 ft. The Property and adjacent lot to the east are very long at one hundred and forty feet (140ft) and sloping to the south with current rear yard setback of 90.5 ft from the back wall of the existing buildings to the alley. With the proposed eighteen feet (18ft) rear addition there remains 72.6ft of unimpeded rear property open space with light and air available. (See site section and shadow study images as part of the drawings).”

Annex 2. Images from 608 Jefferson St NW, Apartment 304

a. Image 3: View from bedroom 2 at 7:09am June 20, 2018

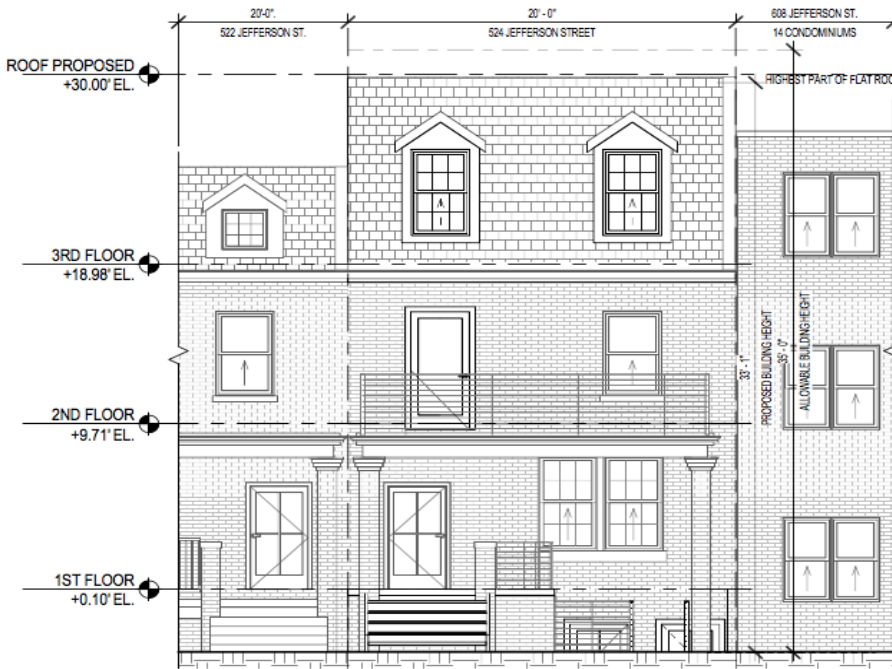


b. Image 2: From bedroom 1

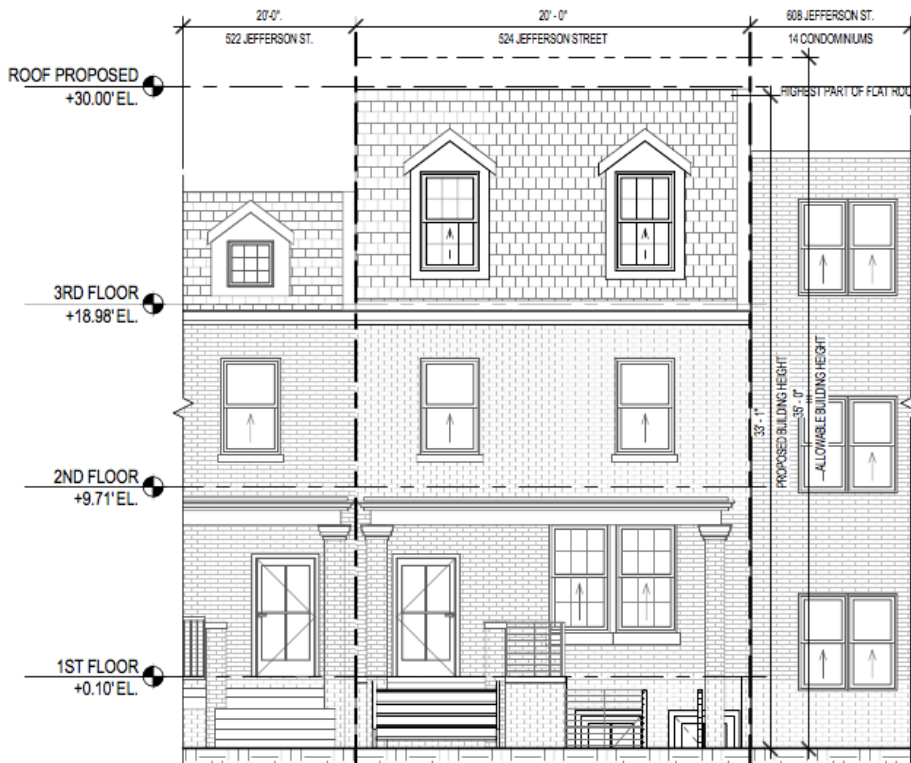


Annex 3. Proposed 524 Jefferson St Height Increase as Demonstrated in Exhibit 7

Roof proposed is clearly above the top of the current apartment building at 608 Jefferson St. Showing windows from unit 304 will be completely obstructed



1 FRONT ELEVATION - PROPOSED OPTION A
A008 3/16" = 1'-0"



1 FRONT ELEVATION - PROPOSED OPTION B
A009 3/16" = 1'-0"