
Lyle M. Blanchard., Esq.
LMB @ gdllaw.com

February 1, 2022

BY IZIS

Mr. Frederick L. Hill
Chairperson
Board of Zoning Adjustment
One Judiciary Square
441 4th Street, N.W.
Suite 210 – South
Washington, D.C. 20001

Re: Supplemental Documents in Opposition to BZA Application No. 20615
751 10th Street, SE,
Square 950, Lot 84 (“751 Property”)

Dear Chairperson Hill and Members of the Board:

As you are aware this firm is counsel for Robert McCulloch, Jr. and Margaret McCulloch, the owners of the nine-unit apartment building constructed in 1912 at 747-749 10th Street, SE (Square 950, Lot 53) (“749 Property”). As noted in our letter of January 26, 2022, our client’s architect, Stephen duPont, Jr. has prepared a series of sun studies from the Rear, High, and Southwest view perspectives which show the significant impact of the Applicant’s side yard addition and accessory building. (See attached Exhibit A - Sun Studies and Exhibit B - Slides). Since it was not possible to prepare these exhibits until today, we request a waiver of Section Y-404.4 fourteen (14) day deadline. The Applicant still has seven days to respond to this supplemental filing, prior to the hearing on February 9th hearing, so the Applicant is not prejudiced or surprised.

We contend that Mr. duPont’s Sun Studies and Slides show the Applicant should reconfigure its design to extending into the 751 Property’s ample rear yard and pulling back at least three (3) feet to preserve the minimum side yard necessary to address our client’s concerns. Additionally, the Applicant could further modify its plans to lessen the undue effect of the addition on the light and air to 749 Property by setting back the second story of the addition by a necessary extra two (2) feet before the three (3) feet side yard. The enclosed photograph of the rear of Applicant’s existing building shows the existing 5’-6” side yard. (See Exhibit C - Photo).

Board of Zoning Adjustment
District of Columbia
CASE NO. 20615
EXHIBIT NO. 40



GREENSTEIN DELORME & LUCHS, P.C.

www.gdllaw.com

Mr. Frederick L. Hill

February 1, 2022

Page 2 of 3

Thank you for your assistance.

Sincerely,

GREENSTEIN DELORME & LUCHS, P.C.

By:

Lyle M. Blanchard

By:

John Patrick Brown, Jr.

Enclosures

cc: ANC 6B, 6B@anc.dc.gov
Kirsten Oldenburg ANC 6B04, 6b04@anc.dc.gov
Karen Thomas, OP, karen.thomas@dc.gov
Anna Chamberlin, DDOT, anna.chamberlin@dc.gov
Martin Sullivan, Esq., msullivan@sullivanbarros.com

CERTIFICATE OF SERVICE

I hereby certify that on February 1, 2022, a copy of the Supplemental Documents for the party in Opposition filing was served electronically on the following:

ANC 6B

6B@anc.dc.gov

Commissioner Kirsten Oldenburg ANC 6B04

6b04@anc.dc.gov

Ms. Karen Thomas

D.C. Office of Planning

karen.thomas@dc.gov

Ms. Anna Chamberlin, AICP

D.C. Department of Transportation

anna.chamberlin@dc.gov

Martin Sullivan, Esq.

msullivan@sullivanbarros.com



Lyle M. Blanchard