

FRANCES A. SCLAFANI
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WASHINGTON, D.C. 20016
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May 1, 2022

Frederick L. Hill
Chair, Board of Zoning Adjustment
441 4th Street, N.W.
Washington, D.C. 20001

RE: LETTER IN OPPOSITION
BZA Case # 20699
3801 Macomb Street, N.W.
Washington, D.C. 20016

Dear Chairman Hill and Members of the Board,

As the owner of the small single-family detached house immediately next door to 3801 Macomb Street, I write this letter in opposition to this BZA application for a variance in this case.

My house is on a residential block of single-family houses, and it is separated from the house at 3801 Macomb by a narrow 11'4" cement public alley. In the BZA application here, the applicant submitted photographs to the BZA that are taken of the right of his property, from the back of his property, and across the street from his property – but not of my small single-family house directly next door and only 11'4" away from his property! That was just the beginning of the lack of transparency that is riddled throughout this case.

This BZA application seeks to transform the current house at 3801 Macomb into a **DORMITORY structure with 8 units containing 6 bedrooms each!** This would be appropriate for the grounds of a university campus, not on our residential block of single-family houses.

This BZA application **seeks to turn the current 8 bedrooms in the house at 3801 Macomb, into 48 bedrooms!** This would not be the "8 unit for 8 unit" even exchange the applicant claims.

The applicant here seeks to create a paved parking lot next to my single-family house on a block of residential single-family houses! This is a *detriment* to the neighborhood, not the "improvement" that the applicant claims. Nowhere in this BZA application does it show the narrow 11'4" cement paved public alley separating our two properties. It would be physically impossible for cars to get in or out of the proposed paved parking spaces directly across from the side of my house in the narrow alley. It is impossible for a vehicle to make that kind of turn.

Since a picture is worth a thousand words, please see attachments #1 and #2 which are photographs of my house next door and the narrow public alley that separates our two properties.

This short, narrow public alley adjacent to my single-family house (as well as adjacent to the backs of 5 other small single-family houses) dead ends into the property of 3801 Macomb St. It is the only means for a vehicle to enter or exit 3801 Macomb St. Small children live here, play

ball and ride bikes in this quiet dead-end alley. City wild life abounds in squirrels, chipmunks, rabbits and birds in trees lining this alley. This small, short, narrow, dead-end public alley cannot sustain the traversing and crush of construction trucks, excavation and other large, heavy equipment necessary for such a DORMITORY/APARTMENT BUILDING/PAVED PARKING LOT PROJECT! The structural damage to our small single-family houses next door would be inevitable. **D.C. Zoning laws are in place to prevent this!**

This BZA application for a variance from our protective D.C. Zoning laws and D.C. case law in order to build a dormitory/apartment building with an explosion of tenant occupants, cars, parking lot, a multiplicity of trash cans for 48 people (*with no place for garbage pick-up!*), drainage/sewer issues, child safety, environmental impact, construction damage issues, roof-top H/AC equipment causing noise and vibration to next-door neighbors in small single-family homes, etc. is not tenable, justified or lawful.

Importantly, the applicant does not meet the standard for the granting of a variance in this case. In his signed letter to neighbors dated January 29, 2022, the owner, Mr. Yavalar, stated that he has a right to develop his property with two extra single-family homes and “no zoning relief would be required.” He further writes “Regardless of the decision made by the Members of the Board of the BZA there will be one type of development done.”

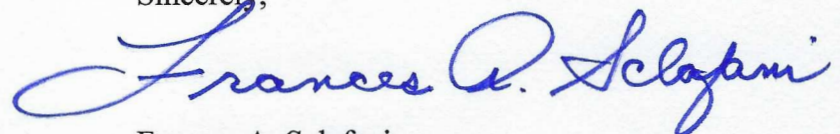
In other words, *the owner admits that he can develop his property within the current zoning law and will do so if his BZA application is denied!* **There is no “undue hardship” in this case!**

PLEASE SEE SIGNED JANUARY 29, 2022 STATEMENT OF ATA YAVALAR, OWNER, **attachment #3.**

The owner of 3801 Macomb St. is free to develop his property within the current zoning law, and he states that he is prepared to do so.

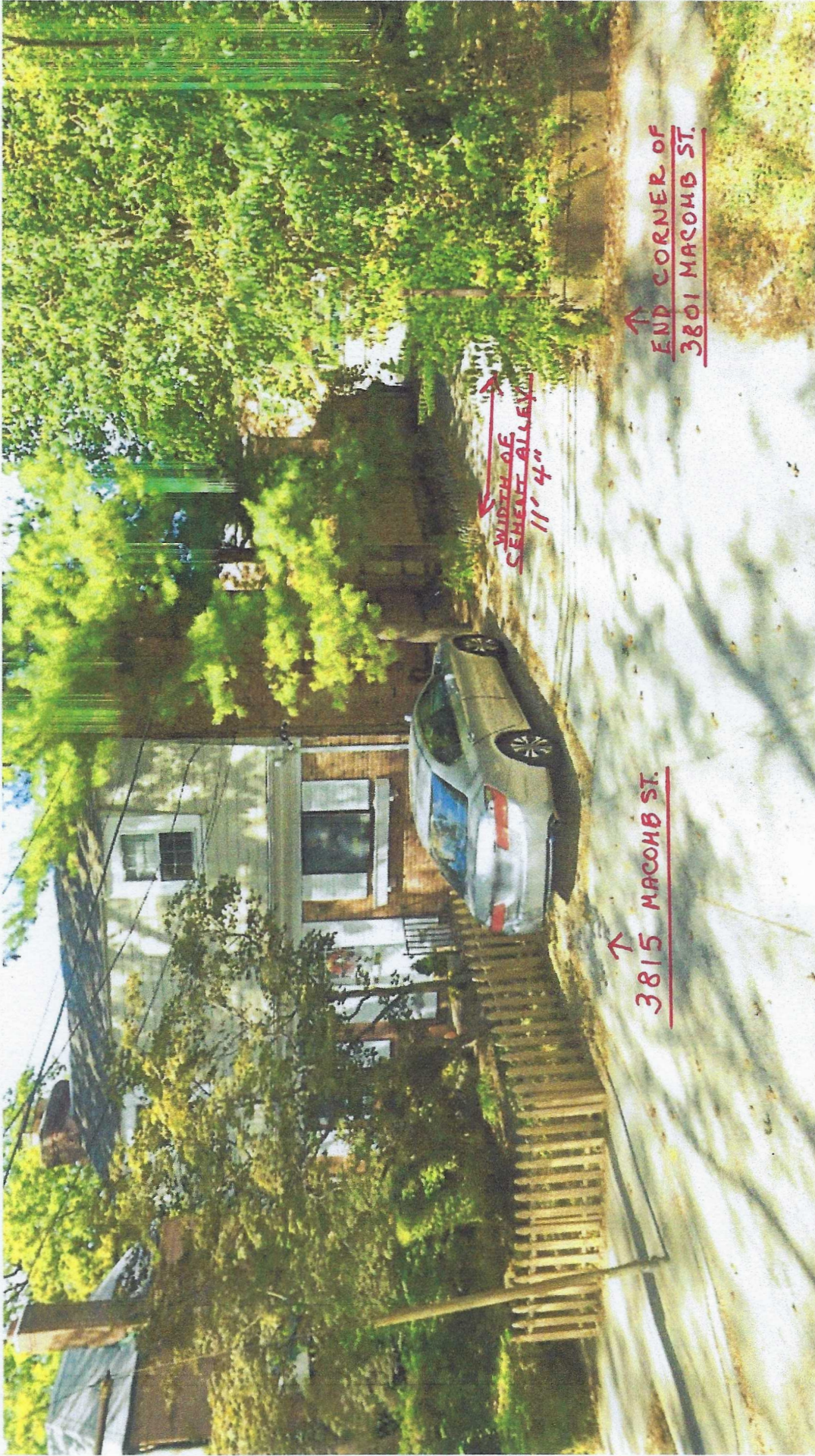
This BZA application is a non-starter. It should be denied.

Sincerely,



Frances A. Sclafani

Attachments: as stated.



SMALL
↓
SINGLE FAMILY HOUSES

3815
MACOMB

CHILD SLOW
CAUTION SIGN →

END OF
PUBLIC ALLEY
↓

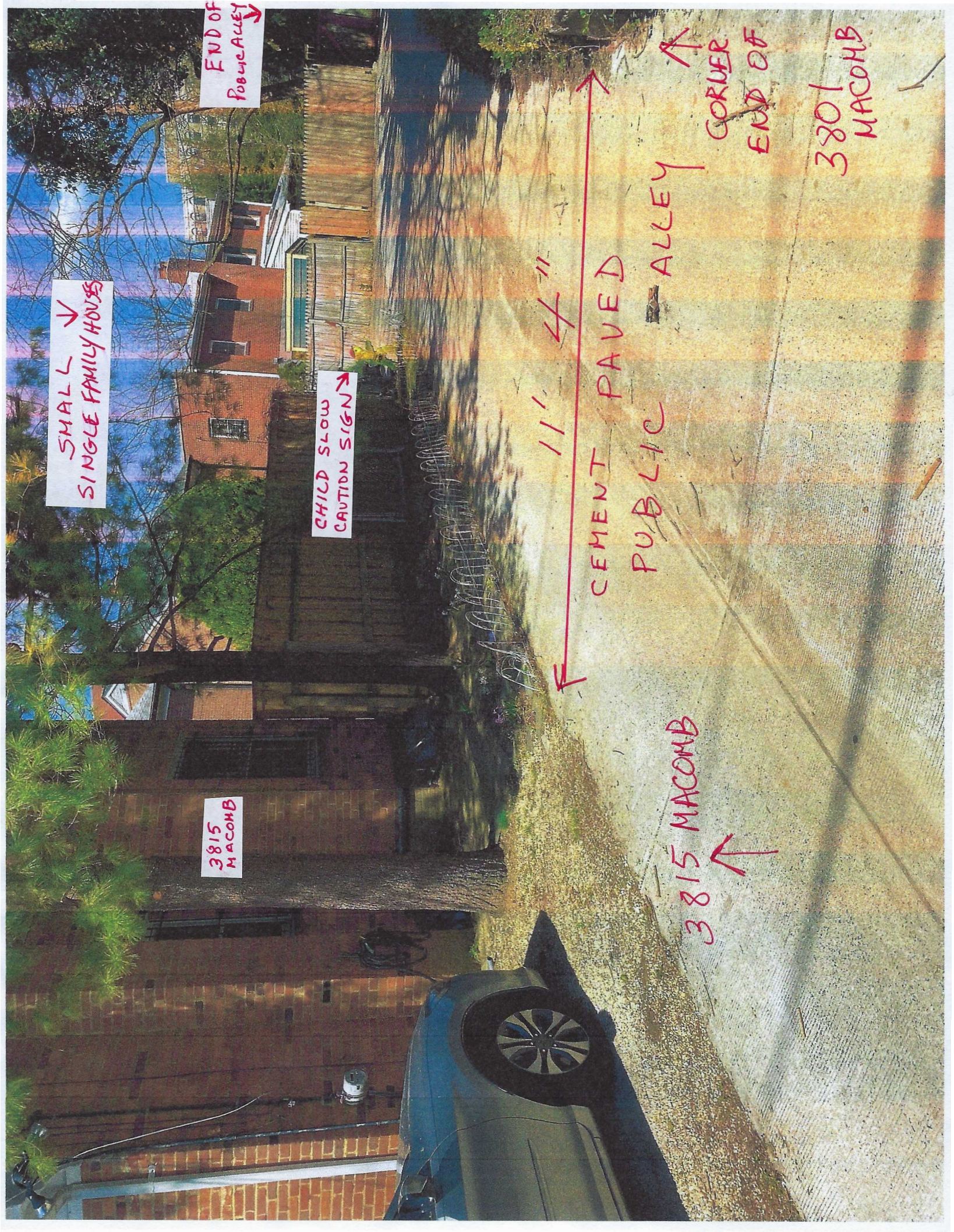
11' 4"

CEMENT PAVED
PUBLIC ALLEY

↑
CORNER
END OF

3815 MACOMB
↑

3801
MACOMB



January 29, 2022

Re: Letter in Support of BZA Case No. 20699 – 3801 Macomb Street, NW

Dear Neighbors,

My name is Ata Yavalar and I am the owner of the property located at 3801 Macomb Street, NW. I am writing and requesting your signature for the letter of support enclosed for the development of the property and the improvement of our neighborhood. It is time to develop this site within the existing standards of the R-1-B zone.

I am asking for your support for a variance relief through the Board of Zoning, which will allow me to update the existing building through an addition located at the back of the property. I have attached two sets of drawings. The drawing that is labeled Exhibit 1 is the request for use variance relief, which I am asking for your support and the other is Exhibit 2 which is within zoning development standards that does not require use variance relief

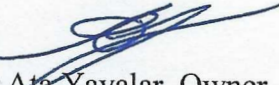
Exhibit 1: would allow me to maintain the existing 8-unit certificate of occupancy and update the existing building and add an addition to the rear and rear side yard. The area immediately to the left of the existing home will NOT be developed. I am required by the zoning commission to request for a use variance relief to allow an addition to my existing 8-unit home while keeping my 8-unit certificate occupancy intact.

Exhibit 2: by right would allow me to do a special raze of the building allowing me to keep the 8-unit certificate of occupancy within the existing footings and then sub divide the lot for an extra two single family homes; no zoning relief will be required as the site will be developed within existing standards of the R-1-B zone.

Regardless of the decision made by the Members of the Board of the BZA there will be one type of development done; not only will this make the corner lot more appealing but will increase the value of your homes. I appreciate your time and letter of support to the BZA. I am available for questions at anytime through e-mail at ayavalar@gmail.com, phone call 202.327.1164 and I am more than happy to stop by at your home anytime to discuss.

Please send scanned copies of your enclosed signed letter of support to ayavalar@gmail.com or text/call me at 202.327.1164 for pick up from your home.

Sincerely,


Ata Yavalar, Owner
3801 Macomb Street, NW
Washington, DC 20016