



District of Columbia Government
Advisory Neighborhood Commission 6A
PO Box 15020
Washington, DC 20003



July 15, 2022

Mr. Clifford Moy
Secretary of the Board of Zoning Adjustment
Board of Zoning Adjustment
441 4th St. NW, Suite 210
Washington, DC 20001

Re: BZA Case No. 20612 (647 16th Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting¹ on July 14th, 2022, our Commission voted 7-0-0 (with 5 Commissioners required for a quorum) to oppose the request of the owners of 647 16th Street, NE. Specifically, the applicant seeks special exception zoning relief under Subtitle E § 5201 and Subtitle X § 902.1 from the lot occupancy requirements of Subtitle E § 304.1, and special exception zoning relief under Subtitle E § 5201, Subtitle E § 205.5, and Subtitle X § 902.1 from the rear addition requirements of Subtitle E § 205.4 to construct a third story and rear addition, and convert to a flat, an existing, attached, two-story with cellar, principal dwelling unit in the RF-1 Zone.

We have found the applicant very difficult to work with, and resistant to any interaction with ANC6A. We had the project on the agenda for our Economic Development and Zoning committee on four different occasions (November 2021, December 2021, March 2022 and April 2022), each time the applicant did not appear at the meeting (See Exhibit 35). She only began appearing at ANC meetings in May 2022, after BZA had requested her to. When she did appear, we often found her unwilling or unable to effectively answer questions or present her case.

The shadow study that was submitted by the applicant shows a substantial shading impact on the neighbor at 649 16th Street NE for significant periods of the year. The study shows that on the summer solstice (June 21), approximately half of the back wall of 649 will be covered in shadow at 12:00 PM, with the bulk of this shading being in addition to what would occur in by-right development. Similarly, during the winter solstice, the shadow study shows at 9:00 AM the eastern face of 649 is almost entirely shaded, with the majority of that shading being caused by the proposed project.

The residents of 649 16th Street NE (Anna and David Bobb), have indicated that this shading directly impacts their kitchen and bedroom, some of the primary living areas in their home. Since their home

¹ ANC 6A meetings are advertised electronically on anc-6a@googlegroups.com, and newhilleast@groups.io, at www.anc6a.org, on Twitter (@ANC6A) and through print advertisements in the Hill Rag.

naturally gets less light, the increased shading that would be caused by this project causes an undue impact on the light and air available, and negatively impacts their ability to enjoy their home.

The owner of the property, Mrs. Demetra Weir, has indicated she would not consider or propose any changes to the project that would lessen the light and air impact on the neighbor. Because of the undue impact on the light and air available to the neighbor at 649 16th Street that will directly result from the proposed project, ANC 6A opposes the proposed project.

As requested by the BZA at the June 22nd meeting, we reached out to Mrs. Weir again to see if there was room for compromise. While there were some encouraging discussions about reducing the size of the project, she was unable to produce a revised plan or shadow study showing that this change would address our concerns at our July ANC meeting. Mrs. Weir claimed that she could not get the revised elevations and shadow study because that represented “a cost that I cannot incur for those plans”. It is important to note that Mrs. Weir also did not appear at our July 14th meeting, as requested by the BZA, because she had “family vacation plans” at the same time (see attachment).

Please be advised that Brad Greenfield, Commissioner Sondra Phillips-Gilbert, and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at 6A04@anc.dc.gov. Commissioner Phillips-Gilbert can be reached at 6a07@anc.dc.gov and Mr. Greenfield can be contacted at brad.greenfield@gmail.com.

On Behalf of the Commission,



Amber Gove
Chair, Advisory Neighborhood Commission 6A



Brad Greenfield <brad.greenfield@gmail.com>

647 16th St NE

13 messages

Brad Greenfield <brad.greenfield@gmail.com>

Mon, Jun 27, 2022 at 4:07 PM

To: D Weir <demetraw@hotmail.com>, Eric Teran <eteran@eustilus.com>

Cc: Keya Chatterjee <6a01@anc.dc.gov>, "Gove, Amber (SMD 6A04)" <6A04@anc.dc.gov>,
Sondra Phillips-Gilbert

<6A07@anc.dc.gov>, ANC6A PackagePrep <anc6apackage@outlook.com>

Hello, Mrs. Weir

I listened to the recording of the BZA hearing from last week. In line with the BZA's request, I wanted to see if there was any room for a compromise regarding this project.

Normally, when we have a project where the EDZ committee has concerns or issues, the owner and the project architect meet and submit an alternate plan that attempts to address our concerns.

In your discussion with the BZA, you seemed to indicate that we would need to give you an idea of what needed to be done to address our concern (I believe you used the example of a 30% reduction in the project). Unfortunately, this is not possible; the ANC does not have access to an architect who could revise the plans to see how much of a reduction is needed. Even if we did have access to an architect, we don't have the original electronic copy of your architectural plans, so we couldn't make any adjustments.

Normally, this is a conversation that you would have with your architect where you see if there are any changes that could be made to decrease the shading impact without making wholesale changes to your project.

If you do want to make changes to your plan, I would be happy to have a discussion with you or your architect to give my opinion about whether the shading impact has been adequately addressed. Normally, we would have this go back before the EDZ committee for a formal review, but I don't think that is possible given the July 22nd hearing date.

Regarding the trash issue; our expectation (and the expectation that was stated at the BZA) was that you get this resolved. Attached is a photo of the trash still at your property on 6/16, almost a full month after the photo you submitted to the BZA saying that the trash had been removed.

I also need you to let us know who will be presenting for your project at the ANC; I would highly recommend that you have your architect attend or provide your presentation, particularly if you are willing to make any changes to your plans.

Brad Greenfield

2 attachments**20220616_16583.jpg**
385K**Exhibit47.pdf**
146K

D Weir<demetraw@hotmail.com>
To: Brad Greenfield <brad.greenfield@gmail.com>
Hello Brad,

Sun, Jul 3, 2022 at 4:54

I do not have a problem with having the electronic plans sent to so you can have your architect review them. The architect wants an hourly fee to guess what you all want, and I am not in a position to throw money in the air like that. I am willing to work with you by having the electronic plans sent to you and your committee, so you can decide what you are ok with. Then, I can have talk to my architect about how those plans will work.

I do not want to make changes that 1) You still have a problem with, and I lose more money 2) I end up compromising square footage that I did not have to because I am guessing how to accommodate you 3) You are opposing, but not being clear on what you think is a favorable measurement.

In order to complete a decent size 2- 2 lvl flat comparable to all the other new structures I will need to build up and back. Please provide your agreed on suggestions and feel free to send over your architectural questions; and I'll have Mr. Teran answer them prior to your meeting on 7/20. Please note he will need at least 3 days to respond.

I do not know what trash you are talking about.

Demetra Weir
Weir Realty
DC & MD Licensed
202-677-0041
www.listandsavemore.com

"Don't pay high commissions to list your home!"

From: Brad Greenfield <brad.greenfield@gmail.com>
Sent: Monday, June 27, 2022 4:07 PM

7/14/22, 5:13 PM

Gmail - 647 16th St NE

To: D Weir <demetraw@hotmail.com>; Eric Teran <eteran@eustilus.com>
Cc: Keya Cha erjee <6a01@anc.dc.gov>; Gove, Amber (SMD 6A04) <6A04@anc.dc.gov>; Sondra Phillips-Gilbert <6A07@anc.dc.gov>; ANC6A PackagePrep <anc6apackage@outlook.com> **Subject:** 647 16th St NE

[Quoted text hidden]

Brad Greenfield <brad.greenfield@gmail.com>

Sun, Jul 3, 2022 at 9:36 PM

To: D Weir <demetraw@hotmail.com>
Cc: "Gove, Amber (SMD 6A04)" <6A04@anc.dc.gov>, Sondra Phillips-Gilbert <6A07@anc.dc.gov>, Keya Chatterjee <6a01@anc.dc.gov>

Hello, Mrs. Weir

You misunderstood me. We do not have access to an architect, so it is impossible for us to do what you are asking, for a variety of reasons.

It is not unusual for projects coming before our ANC (and other ANCs in the city), for us to raise concerns or ask for changes. Every other applicant that we have dealt with understands that this is a normal part of doing business, and works collaboratively with the ANC to make sure the community's concerns are addressed and the needs of the owner are still being met.

I am mindful of your desire to avoid expenses. If you can describe, at a high level, what options would be acceptable to you, I can work to help identify the most likely changes that will address the community's concerns. That should minimize your expense. Also please confirm that you are going to attend the July ANC meeting. The meeting will be held on Thursday, July 14th, starting at 7:00 PM. We need to know if you will just be you presenting, and if anyone else will be joining you. Brad Greenfield

[Quoted text hidden]

D Weir <demetraw@hotmail.com>

Mon, Jul 4, 2022 at 11:01 AM

To: Brad Greenfield <brad.greenfield@gmail.com>

Hi Mr. Greenfield,

I did misunderstand you. I don't see anything wrong with my project the way it is, but because you do I am willing to work with your concerns, and then discuss them with my architect and see if its its comparable to the new construction going up in the area. I want to build a house just like 645. To work collaboratively please let me know what changes you all are asking for collectively. This has not been expressed at neither meeting.

645 does not have an dark and gloomy affect on 647 and 647 won't have one on 649 either. It's the same exact house.

Every meeting has been opposition and disrespect from Gilbert, not "lets figure this out as a community". I'll be at the meeting by myself and I will be on vacation, so I hope that my case is first.

Demetra Weir
Weir Realty
DC & MD Licensed
202-677-0041
www.listandsavemore.com
"Don't pay high commissions to list your home!"

From: Brad Greenfield <brad.greenfield@gmail.com>
Sent: Sunday, July 3, 2022 9:36 PM
To: D Weir <demetraw@hotmail.com>
Cc: Gove, Amber (SMD 6A04) <6A04@anc.dc.gov>; Sondra Phillips-Gilbert <6A07@anc.dc.gov>; Keya Cha erjee <6a01@anc.dc.gov>
Subject: Re: [647 16th St NE](#)

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Brad Greenfield <brad.greenfield@gmail.com> Thu, Jul 7, 2022 at 9:28 PM
To: D Weir <demetraw@hotmail.com>
Cc: Sondra Phillips-Gilbert <6A07@anc.dc.gov>, Keya Chatterjee <6a01@anc.dc.gov>, "Gove, Amber (SMD 6A04)" <6A04@anc.dc.gov>

Hello Mrs. Weir

Unfortunately, I can't give you explicit directions on how to modify your project to adequately address the light and air concerns of the neighbors, while still maintaining a viable project for you. Concerns such as this happen in projects, and an experienced architect can help you look at options that could lessen the shading impact on neighbors while still preserving the needs of your project. This could include reducing the total size of the addition, but could also include shifting the shape to preserve the square footage while allowing more light to get to the neighbor, or modifying the second floor of the addition to reduce the impact. Mr. Teran is an experienced architect, and has worked on a project on Capitol Hill before, including in ANC6A, so he is likely familiar with what changes would likely address our concerns. If you and your architect can come up with a rough idea of a change, I would be happy to look at the idea, and talk to the neighbors, to see if it would assuage their concerns.

7/14/22, 5:13 PM

Gmail - 647 16th St NE

Brad Greenfield

[Quoted text hidden]

D Weir <demetraw@hotmail.com>

Sun, Jul 10, 2022 at 5:47 PM

To: Brad Greenfield <brad.greenfield@gmail.com>

Hi Mr. Greenfield,

Eric suggest that a reduc on of 5'-0" should be enough to make both of us happy.

Demetra Weir

Weir Realty

DC & MD Licensed

202-677-0041

www.listandsavemore.com

"Don't pay high commissions to list your home!"

From: Brad Greenfield <brad.greenfield@gmail.com>

Sent: Thursday, July 7, 2022 9:28 PM

To: D Weir <demetraw@hotmail.com>

Cc: Sondra Phillips-Gilbert <6A07@anc.dc.gov>; Keya Cha erjee <6a01@anc.dc.gov>; Gove, Amber (SMD 6A04) <6A04@anc.dc.gov>

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Brad Greenfield <brad.greenfield@gmail.com>

Sun, Jul 10, 2022 at 8:26 PM

To: D Weir <demetraw@hotmail.com>

Cc: Sondra Phillips-Gilbert <6A07@anc.dc.gov>, Keya Chatterjee <6a01@anc.dc.gov>, "Gove, Amber (SMD 6A04)" <6A04@anc.dc.gov>

Hi, Mrs. Weir

That sounds promising. Can we do a quick call with Eric and I can understand what he is recommending?

Brad

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D Weir <demetraw@hotmail.com>

Sun, Jul 10, 2022 at 8:38 PM

To: Brad Greenfield

<brad.greenfield@gmail.com

> Hi Mr. Greenfield,

Eric wants to get paid for a phone call, so I asked him to elaborate on what he recommending; and I will forward it to you.

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From: Brad Greenfield <brad.greenfield@gmail.com>

Sent: Sunday, July 10, 2022 8:26:30 PM

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D Weir <demetraw@hotmail.com>

Mon, Jul 11, 2022 at 10:57 AM

To: Brad Greenfield <brad.greenfield@gmail.com>

Mr. Greenfield,

He said " Basically, we are reducing the house length by 5'-0" which will reduce the shadows during the summer solicits in the afternoon and during the winter solicits in the morning.

There isn't much more to say than that. I think it is pretty obvious that by reducing the extension there will be less shadows throughout the day."

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From: Brad Greenfield <brad.greenfield@gmail.com>

Sent: Sunday, July 10, 2022 8:26:30 PM

[Quoted text hidden]

[Quoted text hidden]

Brad Greenfield <brad.greenfield@gmail.com>

Tue, Jul 12, 2022 at 12:44 PM

To: D Weir <demetraw@hotmail.com>

Cc: "Gove, Amber (SMD 6A04)" <6A04@anc.dc.gov>, Sondra Phillips-Gilbert <6A07@anc.dc.gov>, Keya Chatterjee <6a01@anc.dc.gov>, ANC6A PackagePrep <anc6apackage@outlook.com>

Hi, Mrs. Weir

This is very encouraging. We would want to see the revised plans and a new shadow study showing that the changes significantly reduce the amount of shadow on the neighboring property. Ideally, we would like to see a shadow study that shows the difference between the shading caused by the current plans, and the proposed change.

Keep in mind, the ANC meeting is Thursday, so we would want to see this right away.

Brad

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7/14/22, 5:13 PM

Gmail - 647 16th St NE

Brad Greenfield <brad.greenfield@gmail.com>

Thu, Jul 14, 2022 at 2:36 PM

To: D Weir <demetraw@hotmail.com>

Cc: "Gove, Amber (SMD 6A04)" <6A04@anc.dc.gov>, Sondra Phillips-Gilbert <6A07@anc.dc.gov>, Keya Chatterjee <6a01@anc.dc.gov>, ANC6A PackagePrep <anc6apackage@outlook.com>

Hi, Mrs. Weir

I haven't seen any revised plans/documents. Will you have something to present at the ANC meeting tonight?

Brad

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D Weir <demetraw@hotmail.com>

Thu, Jul 14, 2022 at 3:54 PM

To: Brad Greenfield <brad.greenfield@gmail.com>

Mr. Greenfield,

I do not have revised plans. Eric is on vacation as I am and there is a cost that I cannot incur for those plans. To work with you all (although I do not see anything wrong with my project as it is) I have agreed to reduce it by 5ft to make you all happy.

I have not received the instructions to attend tonight. I have family vacation plans at 730 and will have to leave the call at that time.

D. WEIR

202.677.0041

[Get Outlook for Android](#)

From: Brad Greenfield <brad.greenfield@gmail.com>

Sent: Thursday, July 14,

2022 2:36:24 PM **To:** D

Weir

<demetraw@hotmail.com>

Cc: Gove, Amber (SMD 6A04) <6A04@anc.dc.gov>; Sondra Phillips-Gilbert <6A07@anc.dc.gov>; Keya Chatterjee <6a01@anc.dc.gov>; ANC6A PackagePrep <anc6apackage@outlook.com>

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Brad Greenfield <brad.greenfield@gmail.com>

Thu, Jul 14, 2022 at 4:15 PM

To: D Weir <demetraw@hotmail.com>

Cc: ANC6A PackagePrep <anc6apackage@outlook.com>, "Gove, Amber (SMD 6A04)" <6A04@anc.dc.gov>, Sondra

7/14/22, 5:13 PM

Gmail - 647 16th St NE

Phillips-Gilbert <6A07@anc.dc.gov>, Keya Chatterjee <6a01@anc.dc.gov>, Eric Teran <eteran@eustilus.com>

Hi, Mrs. Weir

That is problematic. As I said in my previous message, while this is encouraging, the only way for us to validate that this solution addresses our concerns is through a shadow study, and us to be able to see the revised elevations. Without any of that evidence, we can't really tell what the shading impact is.

Renee, I believe you said that Mrs Weir had been sent a panelist invitation. Can you re-send it to her.

Thanks,

Brad Greenfield

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