

Contact Details:

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To Whom it May Concern in Zoning, Construction Design Approvals, and Complaints,

I reside at 2325 Grove Ave and am next door neighbors with Bab's Nursery (to the right when looking straight on) located at 2319 Grove Ave. Specifically, I own the first floor unit. I wish to address and notify you of the recent illegal design changes and construction in the back of the nursery and to file a formal complaint.

When the added structure was proposed to me, my neighbor, the City, and the Fan, it was proposed as a one story structure with a nice four foot tall high quality non-opaque (ie. See through) railing on the rooftop as found in Ordinance No. 2018-328, Section 3(d). Section 3(d) states, "The proposed roof-top play area shall have a **non-opaque**, four-foot-high fence, substantially as shown on the plans." A one story matching brick structure with railing on the roof would be visually appealing and would not obstruct sunlight for my first floor unit, therefore I did not raise concern during the design approval phase and design review hearings.

However, unbeknownst to myself, the City, or Fan District Association, the owner has decided to illegally change the plans for the rooftop from high quality non-opaque railing to a full white hardwood plank barrier wall effectively raising the level of the structure to almost two stories and nearly completely obstructing sunlight to my unit. Rooms in my home that previously received sunlight for 7 hours now get no more than 2! On top of that, it is QUITE unattractive with the use of horizontally applied white hardiplank in place of the railing which does not match any other part of the structure. This illegal and material design change looks quite cheap and not well thought out in the slightest.

In short, the owner has thoughtlessly, illegally, and unilaterally decided to change the design without notification to any of the above parties and I now wish to raise my complaint and veto this design change. Furthermore, I would have absolutely raised my concern prior to construction had I known of this change and I humbly wish to raise it now.

I ask the Fan District Association and the City of Richmond to ensure Bab's nursery is held to their design promises and to ensure that they complete the design as submitted. Bab's Nursery's decision to reduce their budget via this illegal, unilateral, and material change to the design will forever affect the enjoyment of my property unless you hold them accountable for their original design promises. I kindly ask for your help in ensuring that the design submitted is carried out as planned with non-opaque railing.

Please let me know what else I can do to ensure that the owner is held to his promises.

Thank you so much for your time and attention to this matter.

Sincerely,



Matthew Monaco

