

ADDENDUM TO PARTY STATUS APPLICATION

Form 140

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D.C. OFFICE OF ZONING

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OPPOSITION TO MOTION FOR SUMMARY JUDGEMENT

In reference to BZA Appeal No. 17747

Public hearing: April 29, 2008

Original form 140 filed in person on February 13, 2008

On April 14, 2008, the Appellant filed a Motion for Summary Judgement regarding Appeal No. 17747.

I respectfully submit to the Board my Opposition to this Motion for Summary Judgement. To support this motion, the Appellant states MATERIAL FACTS NOT IN DISPUTE (Part V. page 9) In fact, there are several statements therein that will be disputed. If given status as an intervener, I will present evidence to strongly refute claims made by the Appellant as MATERIAL FACTS.

Such As:

Appellant's Material Facts Not In Dispute (MFND) #2: Appellant was not "unable" but did choose not to have the original existing building inspected.

MFND #3: Appellant was not "unable" but did choose to not (ever) have a termite inspection.

MFND #5: Appellant was put on notice of termite problem before purchase of the property.

MFND #16: In March of '05, Contractor completely exposed damaged structural members of entire existing original house. Stop Work order was issued for illegally demolishing rear part, beyond scope of permit.

MFND #18: Contractor was put on notice of severe water problems before excavation began.

MFND #21: First floor of existing original house was never framed in. Contractor never took steps to preserve or protect original house.

MFND #22: Appellant waited 20 months after exposing structural members to have Structural engineer inspect original house.

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MFND #25: Emphasis added: In fact, the entirety of the original existing family house, not a portion, was demolished. This left **ABSOLUTELY NO PART REMAINING** of the original existing family house. Appellant states in her affidavit at Paragraph 22, "A portion of the original and existing single - family dwelling was not demolished and remains in place."

MFND #27: Appellant issued Stop Work Order not for fake permit but for 'work being done beyond the scope of permit.'

In an excerpt from title 11 DCMR, Zoning Regulations 3115.2, it is stated that "The Board shall give 'great weight' to the written report of the ANC, as required by No. 1-261, D.C. Code, 1982 ed." In it's monthly meetings, ANC 3E has thoroughly addressed the issue of this Appeal. These meetings were attended by potential interveners along with the Appellant and her attorney. In the meeting of April 10, 2008, The ANC passed a resolution in strong opposition to this Appeal.

Respectfully,



date: 4/16/08

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