

**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

APPEAL OF:

**LAWRENCE M. AUSUBEL and
KATHLEEN B. AUSUBEL**

BZA Appeal No. 18300

**From a decision of the Zoning Administrator, to)
Issue Building Permit No. B1103986 for)
construction of an addition to a single family)
dwelling in the Tree and Slope Protection)
Overlay District at 2750 32nd Street, N.W.)
(Lot 25 in Square 2119))**

**Hearing Date:
November 8, 2011**

DECLARATION OF CHRISTOPHER DOROBK

1. My name is Christopher J. Dorobek. I am over the age of 18, and competent to give this Declaration which is based upon my personal knowledge of the events described below.

2. I am a Trustee of the 2750 32nd Street Trust which owns a residential property located at 2750 32nd Street, NW, Washington, DC (the "Property"). In December, 2010, Matthew Voorhees and I purchased the Property through the Trust, and we currently reside at the Property along with our family.

3. On July 13, 2011 the Department of Consumer and Regulatory Affairs ("DCRA") issued a building permit, No. B1103986, entitling us to commence construction on an addition to our home.

4. The contract with the general contractor for the Project began to run upon issuance of the Project's Building Permit. Since July 13, 2011, my construction expenses total approximately \$580,000.

5. Under the terms of the contract, the general contractor is entitled to payment of \$38,200.80 per month for each month the project is delayed, in order to offset for the

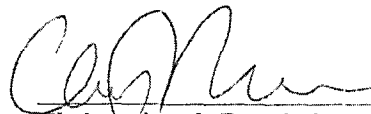
contractor's lost opportunity costs even if no work is performed.

6. In addition, we acquired this home using our available cash and investments, and cannot obtain permanent mortgage financing until the construction is complete. I have determined that this will cost us up to approximately \$20,132.53 per month. This sum reflects investment income lost on the funds used to purchase the home, the financial impact resulting from our inability to utilize the home mortgage interest deduction, as well as other expenses incurred as a result of the delay.

7. The Ausubels have asked the Board of Zoning Adjustment ("BZA") to stay the Building Permit pending the resolution of their appeal. The request for stay is scheduled to be considered by the BZA on November 8, 2011, and the hearing on the Ausubels' appeal is scheduled for the BZA's January 24, 2012 public hearing. I understand that a decision by the BZA will occur either at the conclusion of the public hearing, or at a later date.

8. We will incur financial costs of approximately at least \$58,333.33 per month as a result of the delay to construction pending appeal, if the stay sought by the Ausubels is granted.

Pursuant to 28 U.S.C. §1746, the undersigned declares under the penalty of perjury that the foregoing is true and correct. Executed this 28th day of October, 2011.



Christopher J. Dorobek.