

June 1, 2012

DC Board of Zoning Adjustment: Please consider this our WRITTEN TESTIMONY regarding APPLICATION NUMBER 18357, the Application of David E. Perkins for a variance from the lot occupancy requirements under Section 403, and special exception to construct a free standing carport serving a one-family row dwelling under subsection 2300.8, in the R-4 District at 2014 Summit Place NE (Square 3535, Lot 810).

We object to the above referenced applications for a variance from the lot occupancy requirements under Section 403, and special exception to construct a free standing carport.

In August 2011, the homeowner of 2014 Summit Place NE began construction of a freestanding carport. No permits were posted. We asked the homeowner to stop construction and he first yelled at us and then he threatened us. We contacted the police and the DCRA illegal construction dept multiple times in August and September of 2011. The homeowner used dangerous equipment without following proper safety protocol. This placed residents in our neighborhood in danger, including our newborn child. It also violated noise regulations. According to the DCRA inspector with whom we spoke, the workers told DCRA that they were constructing a retaining wall only, which does not need a permit. Now that we know that a freestanding carport was constructed, we know the workers lied to the DCRA inspectors. There should be documentation of these conversations in the inspector's file at DCRA as this is how they relayed the information to us. After this encounter, to avoid DCRA, the homeowner continued construction in evenings and on weekends, when DCRA does not inspect property. However, the police caught the project in the act on Saturday September 24, 2011, and Kenneth Wilson at the 5th District Station informed us that a police report was issued. The police ordered the homeowner to immediately cease construction, but when the police departed, he continued anyway. He completed construction in October 2011. We invite you to come to our property to see the freestanding carport that has existed for over 6 months.

The homeowner in question has already constructed a freestanding carport in violation of the law and the zoning regulations that apply to our neighborhood. He lied to DCRA. His actions flaunt the permitting, zoning, noise, safety, health, and welfare regulations of the District of Columbia that exist to keep people safe. Approving this application would condone such actions.

We urge the DC Board of Zoning Adjustment to DENY these applications, and to begin legal proceedings against the homeowner for illegal construction, for lack of proper permits, for violating noise regulations, for violating zoning regulations, for lying to DCRA inspectors and knowingly concealing an unlawful structure, and for directly disobeying a police command.

We certify that all of the statements made in this document are true to the best of our knowledge and belief.



Spencer Bishins and Allison Stewart

Homeowners of

117 Rhode Island Ave NE

Washington, DC 20002

BOARD OF ZONING ADJUSTMENT

District of Columbia

CASE NO.

18357

EXHIBIT NO.

35

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