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D.C. OFFICE OF ZONING
108 4th St., N.E
Washington, DC 20001
June 29, 2012
2012 JUL -3 PM 12: 07

Richard S. Nero, Jr
Deputy Director of Operations
Office of Zoning
441 4th St , NW
Suite 200/210-S
Washington, DC 20001

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18424
EXHIBIT NO. 25

Ref.: Application 18424: Opposition to Expedited Review and to Granting Special Exception

Dear Mr Nero-

As an adjacent landowner, your office gave me notice on June 5, 2012 of the expedited review and request for special exception #18424 for 124 4th St, NE The owner, a Virginia land developer, wants to build a two story addition with a footprint of 144 square feet on a very small lot I wish to be a party in opposition and ask that the expedited review not be granted and that the special exception not be granted

As an attorney and a member of the Bar in the District, I will appear on my own behalf. Your office faxed me the developer's application on June 12 and the application does not meet the developer's burden of proof under 223.2. He has failed to show that the addition will "not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular"

- (a) The light and air available to neighboring properties shall not be unduly affected,
- (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;
- (c) The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage, and
- (d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways "

According to the file I was given by your office, the developer has not provided any drawings of the additional structure, as required by subsection (d) I am concerned that the likely placement will obstruct the light and air to the adjacent houses on Constitution Avenue and could harm the roots and kill the beautiful tree that is adjacent It is likely that the building footprint will add to the impervious area and increase runoff I believe that there is a good reason for the limit on R-4 occupancy of 60% Granting this exception creates windfall profits for the Virginia real estate firm that buys and flips properties in the District They knew the rules when they bought the property on January 23, 2012 and they will profit, not citizens of the District, if this exception is granted. Moreover, since they bought the property, have been bad neighbors They have located a port-a-potty in front yard, have allowed weeds and trash to gather, and have failed to fix a broken fence that is visible from the street

I am also concerned that, if this exception is granted, it will increase the density in the neighborhood Since the lot has no off-street parking, the additional bedrooms could lead to more cars competing for

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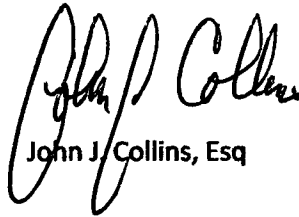
limited parking spaces. Finally, as show on the DC Property Quest map, the access that the developer is currently using from the alley for construction is not his at all. It is owned by the owners of 321 and 323 Constitution Avenue

Please see my attached Form 140, my request for party status.

Can you confirm that you received this request and let me know the time and room number for the hearing where I will testify?

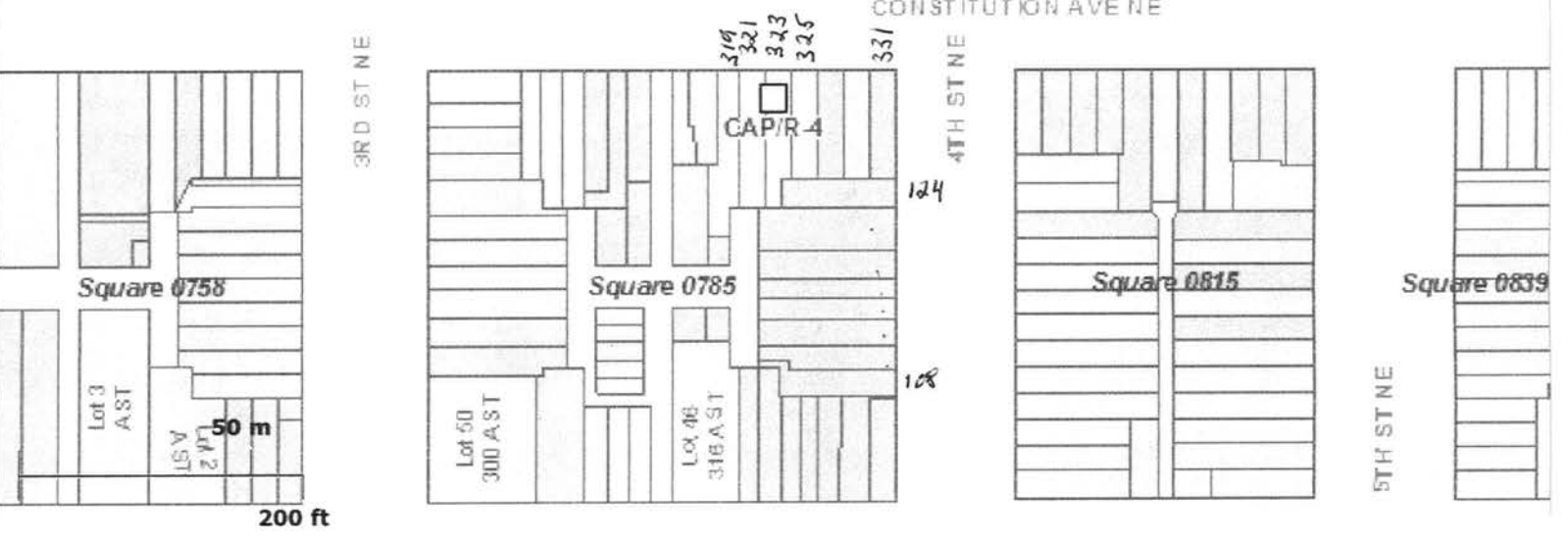
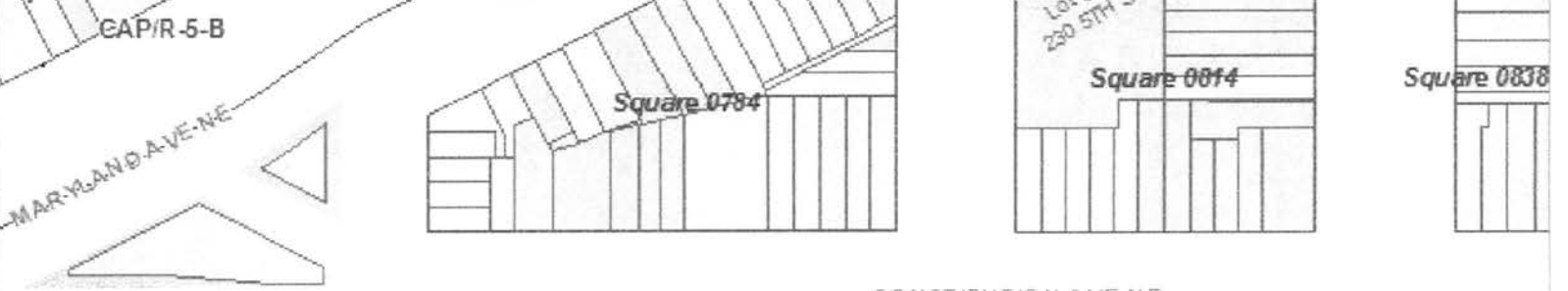
Please let me know if any of my statements need additional clarification. Thank you.

Sincerely,



John J. Collins, Esq

Enclosures: DC Property Quest Map
Completed Form 140





BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA



FORM 140 - PARTY STATUS REQUEST

Before completing this form, please review the instructions on the reverse side.
Print or type all information unless otherwise indicated. All information must be completely filled out.

PLEASE NOTE: YOU ARE NOT REQUIRED TO COMPLETE THIS FORM IF YOU SIMPLY WISH TO TESTIFY AT THE HEARING. COMPLETE THIS FORM ONLY IF YOU WISH TO BE A PARTY IN THIS CASE.
(Please see reverse side for more information about this distinction.)

Pursuant to 11 DCMR §§ 3022.3 or 3106.2, a request is hereby made, the details of which are as follows:

Name:	JOHN J COLLINS, Esq.		
Address:	108 4th St, NE, WASH, DC, 20002		
Phone No(s):	202-543-8836	E Mail:	TRANSBLS@gmail.com
I hereby request to appear and participate as a party in Case No.:		18424	
Signature:	<i>John J. Collins</i>	Date:	6/29/2012
Will you appear as a(r)	☐ Proponent	☒ Opponent	Will you appear through legal counsel? ☒ Yes ☐ No
If yes, please enter the name and address of such legal counsel.			
Name:	Same as above		
Address:			
Phone No(s):		E Mail:	

PARTY WITNESS INFORMATION:

On a separate piece of paper, please provide the following witness information:

1. A list of witnesses who will testify on the party's behalf;
2. A summary of the testimony of each witness (Zoning Commission only);
3. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts (Zoning Commission only); and
4. The total amount of time being requested to present your case (Zoning Commission only).

PARTY STATUS CRITERIA:

Please answer all of the following questions referencing why the above entity should be granted party status:

1. How will the property owned or occupied by such person, or in which the person has an interest be affected by the action requested of the Commission/Board? *My property will be adversely affected. See letter to BZA.*
2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)
I am the owner of 108 4th St, NE
3. What is the distance between the person's property and the property that is the subject of the application before the Commission/Board? (Preferably no farther than 200 ft.) *Within 200 feet. Same block and side. 6 houses between*
4. What are the environmental, economic, or social impacts that are likely to affect the person and/or the person's property if the action requested of the Commission/Board is approved or denied? *If approved, see 6/29 letter to BZA.*
5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied. *See letter.*
6. Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public. *I share the same block, front and rear.*

Except for the applicant, appellant or the ANC, to participate as a party in a proceeding before the Commission/Board, any affected person shall file with the Zoning Commission or Board of Zoning Adjustment, this Form 140 not less than fourteen (14) days prior to the date set for the hearing.