

Stratford Condominium
2010 Kalorama Road, N.W.
Washington, D.C., 20009

March 22, 2013

Via IZIS

D.C. Board of Zoning Adjustment
One Judiciary Square
441 4th Street NW
Suite 210S
Washington, DC 20001

Re: *Appeal No. 18540 – Appeal of Zoning Determination Letter for 2012 Kalorama Road N.W.
Request to Intervene from the Stratford Condominium Pursuant to 11 DCMR §3112.15*

Dear Chair Jordan and members of the District of Columbia Board of Zoning Adjustment:

The Board of the Stratford Condominium (the “Stratford”), hereby requests the Board of Zoning Adjustment (the “Board”) to allow it to intervene in the above-referenced appeal (the “Appeal” or the “2012 Appeal”) pursuant to Section 3112.15 of the Zoning Regulations (11 DCMR § 3112.15). The Stratford is located at 2010 Kalorama Road N.W. and is directly adjacent to the property at 2012 Kalorama Road, which is the subject of the current appeal. As discussed in more detail below, as the direct neighbor and sharing the public alley access, the Stratford is entitled to Intervenor status in support of the 2012 Appeal because its residents’ interests, including enjoyment of their residence, will be uniquely and substantially affected by the proposed development on 2012, and therefore are directly impacted by the outcome of the subject Appeal.

I. Intervenor Request information from Form 141

A. *What legal interest does the person have in the property?*

The Stratford directly adjoins 2012 to the east and is concerned with the development proposed for 2012 Kalorama Road, which has been combined with development at 2014 Kalorama Road by the owner/developer and the Historic Preservation Review Board (“HPRB”) (the “Project”). The Stratford is a condominium and its residents are owners of their respective properties.

B. *How will the property owned or occupied by such person, or in which such person has an interest be affected if the Appeal before the Board is approved or denied.*

In particular, the Stratford is concerned that the Zoning Administrator’s December 5, 2012 Zoning Determination for 2012 (the “Determination”) permits development that violates the Zoning Regulations regarding parking, side-yard setbacks, lot occupancy, FAR and Inclusionary Zoning. The Project also proposes to locate 17 air conditioning units on the roofs, which will undoubtedly emit noise in excess of the City’s Noise Ordinance. In addition, the fact that the Project is

immediately adjacent to the Stratford, and that they share a 7½ foot public alley is of concern. How the Project is designed and functions will affect the Stratford.

C. *Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the Appeal before the Board is approved or denied.*

Amongst other issues it will discuss at the Appeal hearing, the Stratford is concerned about the lack of parking provided for the Project. Specifically, despite the fact that the development on 2012 is a conversion of a single-family residence to an eight-unit apartment building, the Developers are only constructing three parking spaces. However, on top of the Zoning Regulations violation, the lack of parking will undoubtedly further exacerbate the neighborhood's significant parking problem. The Stratford's residents regularly have difficulty finding street parking when they return home from work and on weekends. The Stratford is rightly concerned that when this new, higher-density development goes in next door, finding parking will become almost impossible. Further, the setback of the Project from the Stratford will significantly impact its effect on the residents. If the Project is directly on the Property line, this will severely limit light and air to the Stratford.

D. *What are the environmental, economic or social impacts that are likely to affect the person and/or persons property if the action requested of the Board is approved or denied.*

The Stratford is concerned that the Board's denial of the Appeal will have significant environmental and economic impacts on the Stratford's residents. The construction of the addition on 2012 will have a severe environmental impact because it involves the removal of numerous trees and open space from the 2012 Lot, replacing it with a 40-foot tall building. The west-side residents of the Stratford will find their windows located within 6 to 8 feet of the brick wall design shown to the Zoning Administrator. Furthermore, all of the Stratford's residents will be subject to the environmental effects of noise pollution caused by the clustering of 17 air conditioning units on the Project's roofs, within a few feet of the Stratford. Moreover, the lack of the Developer's reasonable or feasible trash disposal plan will likely result in rats and other rodents in the alley and behind the Stratford, bringing with them their own environmental concerns. Next, all of the residents of the Stratford will suffer severe economic impact by denial of the Appeal. The Stratford is composed of owner-occupied units, and the economic impact caused by the development on 2012 will impact the entire building. Most directly affected will be the numerous units that now look out upon the existing trees and open space on 2012 and 2014 Kalorama. These units, which now have a west-ward view, will directly face a severe brick wall attached to an oversized apartment house.

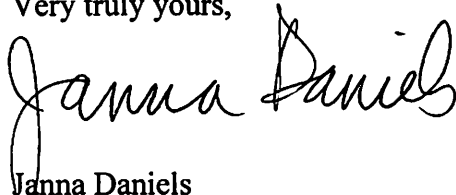
E. *What is the distance between the person's property and the property that is the subject of the Appeal before the Board?*

Chair Jordan and Members
of the District's Board of Zoning Adjustment
March 22, 2013
Page 3

The Stratford and 2012 share a property line, so there is no distance between the Stratford and the property that is the subject of this Appeal.

For the reasons stated above, the Stratford has a specific right or interest that will be affected by the Board's action on the 2012 Appeal, and, therefore, respectfully asks the Board to grant its Intervenor request pursuant to Section 3112.15 of the Zoning Regulations.

Very truly yours,

A handwritten signature in black ink that reads "Janna Daniels". The signature is written in a cursive, flowing style. The first name "Janna" is written with a large, looped 'J' and the last name "Daniels" follows in a similar cursive script.

Janna Daniels

President

Stratford Condominium Board of Directors

cc: Emily J. Vaia, Esq.
Cary R. Kadlecek, Esq.
Jay Surabian, Esq.
Mr. Martis Davis

**L&B 2293411v2/12353.0001