

FORM 141 – INTERVENOR REQUEST –APPEAL NO. 18539
April 3, 2013

Question 1. *What legal interest does the person have in the property?*

The Stratford is less than 30-feet away from the 2014 Property and it directly adjoins 2012 Kalorama Road (“2012”) to the east. The residents of the Stratford own their condominium units and have individual and collective interest in what occurs on neighboring properties. Since November 2012, representatives of the Stratford have submitted written letters and/or provided oral testimony opposing the proposed 17 unit condominium project to be located jointly on 2012 and 2-014 Kalorama Road (the “Project”) to the Advisory neighborhood Commission 1-C (the “ANC”) the Historic Preservation Review Board (“HPRB”) and various District councilmembers.

Question 2. *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?*

The Stratford is concerned that the Zoning Administrator’s December 5, 2012 Zoning Determination for 2014 (the “Determination”) permits development that violates the Zoning Regulations regarding parking, side-yard setbacks, lot occupancy, FAR and inclusionary zoning. The Stratford understands that the developer proposes to locate seventeen air conditioning units on the roofs, which will undoubtedly emit noise in excess of the City’s Noise Ordinance and that the developer is not adequately addressing the handling of trash receptacles in the adjacent alley, in further violation of the City’s regulations. All of these issues, if not in compliance with the proper laws and regulations, will negatively impact the Stratford. Further, the alley behind the Stratford is shared with the Project. How this alley is utilized by residents of the project in terms of parking and trash will directly impact the Stratford’s residents.

Question 3. *Describe any other relevant matters that demonstrate how the person will likely be affected 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 fact that the development on 2014 is a conversion of a single-family residence to a nine-unit apartment building, the Developers are only constructing three parking spaces, in clear violation of the Zoning Regulations. 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.

Question 4. *What are the environmental, economic, or social impacts that are likely to affect the person and/or person's 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 2014 will have severe environmental impact because it involves the removal of trees and open space from the 2014 Lot. The project will remove garden views and replace them with a forty foot brick wall as 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 seventeen air conditioning units on the project's roofs, within a few feet of the Stratford and the lack of a reasonable or feasible trash disposal plan, which will likely result in rats and other rodents in the alley and behind the Stratford. Next, all of the residents of the Stratford will suffer severe economic impact by denial of the Appeal.

Question 5. *What is the distance between the person's property that is the subject of the Appeal before the Board?*

The Stratford is approximately 30 feet from the 2014 Property line. As stated above, the Stratford shares a property line with the 2012 Lot so there is no distance between the Stratford and the companion project on 2012, and the two properties have been combined by the owner/developer and HPRB as one Project.

For the reasons stated above, the Stratford has a specific right or interest that will be affected by the Board's action on the 2014 Appeal, and, therefore, respectfully asks the Board to grant its Intervenor request pursuant to Section 3112.15 of the Zoning Regulations