

test

Re Peter J Fitzgerald BZA Application 18651 Hearing 1/29/2014

Testimony of Chris Nolde, 313 A Street NE

Chris Nolde, owner, 313 A Street NE for 40 years

Mr Fitzgerald requests variances for garages he or his family has owned for many decades

1 His first Applicant's Statement, delivered ⁸~~10~~/15/13, pg 2, says the

"garages are currently used for storage " (1)

However, in Applicant's final PreHearing Statement to the BZA 10/22/13 (pg 2), the words

"currently used for storage" just disappeared, and instead he claims they're not suitable for storage

or other permitted purposes We've witnessed these garages actually being used for storage for many years, and as of the time of Applicant's statements, filled with a large amount of stuff

[We can still see such things as washing machines &/or dryers, refrigerator, wood materials, cardboard

Also, see

boxes, painting & other materials, step ladders and much more [Hollis' Req for Party Status 10/22/13]

They are not "vacant", empty or having no contents We can attest these garages currently have plenty

of contents If there's any doubt, Mr Chairman, we respectfully ask you to recess this hearing to visit

the site and see for yourself what's in the garages

BOARD OF ZONING ADJUSTMENT

District of Columbia

CASE NO.

18651

EXHIBIT NO

55

(1) The Office of Planning Report 10/29/13 recommending denial for many valid reasons, confirms on pg 4 "The Applicant themselves note that the garages are used for storage presently "

may have first offered "guarded" support, later

2 The ANC heard from only 2 property owners. One still supports the Application. The other ~~is now~~
— and is now neutral, neither in support nor opposition.
opposed--see his lawyer's statement filed by Sullivan & Barros 1/15/2014. That's out of more than

65 property owners in our neighborhood. The ANC was unaware of the many concerns of neighbors. The ANC did not hear us, should not speak for us, and we believe their letter supporting the Application should not be given great weight.

3 My wife and I are retired senior citizens and do not have a zoning lawyer to argue the legal points. Attorney Sullivan does an excellent job of that. Every hardship and exceptional circumstance was caused by the Applicants themselves. We too emphasize the bad example that would be set if such decades-long deterioration by neglect were allowed to form the basis for variance piled on variance from existing zoning requirements. Of course we commend the Office of Planning Report analysis too. We feel passionately about our neighborhood in which we have 40 years invested, and believe alleys provide a quality of urban life based on current uses [for parking, trash receptacles & pick up, utilities, TV, internet & phone lines, children's play areas etc.] We have plenty of density in our square already. We hope you'll deny the Applicant's variances. Thank you.