

Date: February 25, 2016

To: Members of the Board of Zoning Adjustment

Re: BZA Application No. 19141

Subject: Response to Opposition Letter from Mary Larris, homeowner 4610 Sargent Road, N.E., dated December 8, 2015

On December 10, 2016, upon reviewing the file concerning the aforementioned case, I became aware of the letter submitted by Mary Larris of 4610 Sargent Road, N.E. dated December 8, 2015, wherein she opposes my request for relief for a detached carport at 4608 Sargent Road, N.E. In view of what has been alleged, I feel compelled to respond and dispute some of the ridiculous accusations.

Ms. Larris states: "I am in opposition of this structure remaining in place due to safety concerns for my daughter and I as well as it out-date the neighborhood."

My Response: The houses in this neighborhood are 60 plus years of age, some maybe older, but they are in-demand and being purchased within a brief period of being offered for sale. Many of the houses have the same type structure and are not being remodeled as several of my neighbors have.

Ms. Larris states: "I usually arrive late at night around 10:00 p.m. o 11:00 p.m. due to my work schedule and about 3 months after the structure was installed, I had my first scare. On this particular night as I arrived home from work and getting out of my car, I did not see a man standing at the front of her driveway between her vehicles. As I reached in the back seat for my lunch bag to my surprise he ran out. I screamed, jumped back in the car and closed the door. It is very dark in the area of the carport at that time of night and with no visibility of a human figure. As a result to bringing this to her attention, nothing was done."

My response: Ms. Larris is not truthful about her work schedule which has actually been in the last two years and readily observed by me as I live next door. We both enter and depart our residences primarily in the rear of our properties. I too have a daily evening commitment resulting in my returning to my residence at late hours, often simultaneously with Ms. Larris, without incident.

The carport was erected in the summer of 2007 after I purchased a new sports car, which makes It nearly nine years of age. I believe that Ms. Larris is being untruthful about being scared 3 months after the structure was installed. She NEVER brought any such incident to my attention. In over 10 years, Ms. Larris has only spoken to me twice in the most disrespectful and profane manner possible as witnessed by others, including my toddler grandson. If such an incident did occur, one would expect a reasonable person to call 911 to report the incident to the police. Certainly the neighbors would have come out in support after having been made aware of such an alarming event.

Further, when she enters the alley from Allison Street, she has to pass by my carport on her right before turning into her 3-car driveway. She contradicts herself when she states she did not see the man standing in front of my driveway but then states the man was standing between my vehicles. She goes on to describe how dark the area is with no visibility of a human figure. Upon inspection, one can observe at the north side of her parking area there is a city-supplied light post which sheds

ample light several feet to the adjacent area. Occasionally I leave the rear porch light on and the neighbor at 4606 Sargent Road has a motion light that activates shedding even more light in the area.

Ms. Larris states: "There was another situation last winter when Janis Gross' son hid at the front of the parking area behind the pole of the carport structure. It is very hard to see someone with the carport up."

My response: The carport pole is a standard 4-inch square metal post incapable of hiding an adult body frame!

She further states: "it is difficult to make out someone standing in the front area because she has tall trash cans and other objects that someone can hid behind but can be seen if the carport was not there to conceal the open area."

My response: My trash cans are the ones issued by the D.C. Government and are less than 5-feet in height, much shorter than the average man.

As to her reference to my son's driving ability, wherein she states "Janis son is not such a good driver and run into the down spout that is attached to the pole of the carport structure at the rear."

My response: My son's ability or inability to drive is not relevant regarding the structure of the carport and is self-serving only to the writer of the comments.

Ms. Larris states: "Last winter the snow would drain the water into my driveway during the day and at sundown the water would turn to ice and make it very slippery."

My response: The allegation that snow was draining water into her driveway is unsubstantiated. The existing down spout (outlet end) referenced is clearly on my side of the carport approximately 2-feet from the alley and below a minimum of 5-inch high cast-in-place concrete abutment (north side of the carport) which is adjacent to her brick abutment, making it impossible for this claim to be true.

Ms. Larris states: "My daughter was coming in from school and fell on the ice patch. My daughter hurt her knees and both wrist from the fall."

My response: I was NEVER made aware of any hospital or police report associated with the incident nor did she ever tell me about her daughter slipping on the ice. It should be noted that she does not provide a time or date of occurrence nor indication of time loss from school as a result of her alleged injuries.

Ms. Larris states: "My parking area of my home is surrounded by a brick foundation structure the issues of the water from the drain spouts have cause corrosion to my parking foundation."

My response: The adjacent parking areas (including the complainant) are made of cast-in-place concrete abutments sloping east to west (back of the homes) into the adjacent alley. Drainage from the alley passing the parking areas (by grade slope) flows southward into Allison Street. Her comment alleging corrosion to her parking foundation is unfounded and unsubstantiated.

Ms. Larris states: "Janis son has hit my fence while trying to park the car in the driveway carport area. The carport made the parking area smaller and difficult to park in; even she has problems parking and has to maneuver back and forth many times just to park both vehicles in the area."

My response: Ms. Larris has no evidence to substantiate her claim that my son hit her fence. In fact, in late 2014 she filed a claim against me in D.C. Superior Court, Small Claims, alleging damage to this same area of her property and, after four appearances in the case, she was NOT awarded any damages. This is her roundabout way of reasserting that claim.

The carport is capable of parking two vehicles and the fact that I take caution parking is not something that one should criticize. The back and forth maneuvering has on occasion frustrated Ms. Larris as she was unable to operate her vehicle without stopping to turn into her driveway.

Ms. Larris states: "I recently called the Mayor's Office and was assigned an individual to look into these problems. In the beginning DCRA was communicating but stopped for some reason I am not privy to."

My response: I have not been contacted by any individual from the Mayor's Office regarding her allegations. Surely Ms. Larris has able to re-contact the offices periodically since this is a pressing issue to her. It should be noted that I have worked extensively to resolve this matter since she initiated her complaint in 2014..

Ms. Larris states: "It is detrimental to my safety, finances, and overall wellbeing that you make the right decision and remove this carport. For these reasons I beg you to have this carport remove it has cause me so much pain, time, stress, and money. Most importantly the issue of my safety and foundation are still my major concerns.

"Also carports are very antiquated and make the neighborhood look old-fashioned and outdated when young families are moving in and bring a refreshing change to this neighborhood."

My response: Apparently Ms. Larris is anti-carport. There are seven other carports in this block including her next door neighbor. It is a free-standing carport which is just steps away from her 3-car driveway yet she has no fear of lurking individuals. She feels that my carport alone is the detriment to the public. We've had several young families move to our neighborhood and they have supported me.

Ms. Larris states: "Janis Gross has lived in Washington DC in the same property for 30+ years. Janis is not a stranger to the zoning regulations and the permit process in this city. Janis continues to defraud the government and do things just because she has gotten away with it for so long. When the carport was installed Janis was "a little more than a friend" to the Advisory Neighborhood Commission(ANC) ward5A at that time, Timothy Day, and she cannot say she didn't know how to go about the process. Janis has used her influences to get over regardless of who she hurt or impact along the way; with no remorse.

My response: Ms. Larris has absolutely no knowledge as to what I know or don't know about regulations. The other comments she makes are her attempt to pull out all the stops and are outrageous. She has focused her negative attention toward me for a number of years and strives to make my life unpleasant.

Ms. Larris states: "The facts are that this carport has been constructed without following proper zoning requirements. There is no excuse or any major conditions that this carport is a necessity to have."

My response: The fact that the carport was constructed without the required permit is factual. I was approached in the summer of 2007 by men working in the area installing carports and was asked if I would like to have one installed. I had just purchased a second car and wanted to protect it and myself from the elements. It was done on the spur of the moment, so to speak, and I was unaware that a permit was required. Had I known, I would have submitted my application to the DCRA.

As to there is no excuse or major conditions that this carport is a necessity to have, I beg to differ. I am a senior citizen and have medical conditions for which I have suffered in a debilitating state and could again. The carport provides coverage and protection from the elements, the harshest being in the winter, for me as well as the vehicles, as I go about my daily life. I feel that her reasons to have the carport removed are purely personal .

Sincerely,

Janis C. Gross

A handwritten signature in cursive script that reads "Janis C. Gross". The signature is written in dark ink and is positioned to the right of the printed name "Janis C. Gross".