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June 13, 2002

BY HAND
Mr. Geoffrey Griffis
Chairperson
Board of Zoning Adjustment
441 4th Street, NW, Room 210
Washington, DC 20001

Re: BZA Application No. 16878; 7064 Eastern Avenue, N.W.; Square 3351, Lot 808
Our File No. 092104.0001

Dear Mr. Griffis:

In accordance with the Board's request at the conclusion of the June 11, 2002 hearing in the above referenced matter, enclosed you will find the affidavit of Karen McK. Wood, AIA, with the perimeter measurements of the basement attached. The enclosed material confirms Ms. Wood's unrefuted testimony that the lower level is, in fact, a basement, as it is more than four feet above grade.

As the Applicant has satisfied the requirements for a special exception pursuant to Section 217 of the Zoning Regulations, we respectfully request that the Board grant the requested relief.

Thank you for your consideration.

Sincerely,

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

Richard B. Nettler
Jeannine Rustad Zigner

Enclosures
cc: Ms. Merita Irby (by facsimile; w/encl.)
Ms. Karen Pittman (by facsimile; w/encl.)
ANC 4B, Ms. Sara Green (by hand; w/encl.)
Mr. Steve Mordfin, Office of Planning (by facsimile; w/encl.)

BZA
Case No. 16878
Exhibit No. 36
Board of Zoning Adjustment
District of Columbia
CASE NO.16878
EXHIBIT NO.36

BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

BZA Application of
Harold and Frances Phipps on behalf of
The Forum for Youth Investment

Application No.: 16878
Hearing Date: June 11, 2002

AFFIDAVIT OF KAREN MCK. WOOD, AIA

DELAWARE COUNTY)
) ss:
COMMONWEALTH OF PENNSYLVANIA)

I, Karen McK. Wood, AIA, being duly sworn on oath, does depose and say:

1. I am a duly licensed architect in the District of Columbia (D.C. License #5211) and am authorized to make this Affidavit.

2. I have been a licensed architect in the District of Columbia for ten (10) years and I am familiar with the District of Columbia Zoning Regulations and Building Code.

3. I am competent to be a witness and have personal knowledge of the facts hereinafter set forth.

4. I was the architect for Frances and Harold Phipps, the previous owners of the Cady Lee Mansion located at 7064 Eastern Avenue, N.W., Washington, D.C., Lot 808, Square 3351. I was retained, *inter alia*, to measure the gross floor area of the Cady Lee Mansion. The gross floor area was measured in accordance with the definition of that term in section 199 of the District of Columbia Zoning Regulations (11 D.C.M.R.).

5. On June 11, 2002, I took additional measurements of the distance between the finished grade and the ceiling of the unfinished basement at various points around the Cady Lee Mansion. Attached hereto as Exhibit A is a true and accurate copy of the points of measurement and corresponding distance between the finished grade of the Cady Lee Mansion taken.

6. As the distance between the finished grade and the ceiling of the unfinished basement is more than four feet (4') around the perimeter of the Cady Lee Mansion, the lower level constitutes a basement, not a cellar. The square footage of the basement in counted towards the gross floor area of the Cady Lee Mansion. Accordingly, the gross floor area of the Cady Lee Mansion is 10,002 square feet.

Further your affiant sayeth not.

Karen McK. Wood, AIA

Karen McK. Wood, AIA

Subscribed and sworn to before me, a Notary Public, this 12 day of June, 2002.

Kathleen M. Howley

Notary Public

Notarial Seal
Kathleen M. Howley, Notary Public
Pennsbury Twp., Chester County
My Commission Expires June 23, 2002

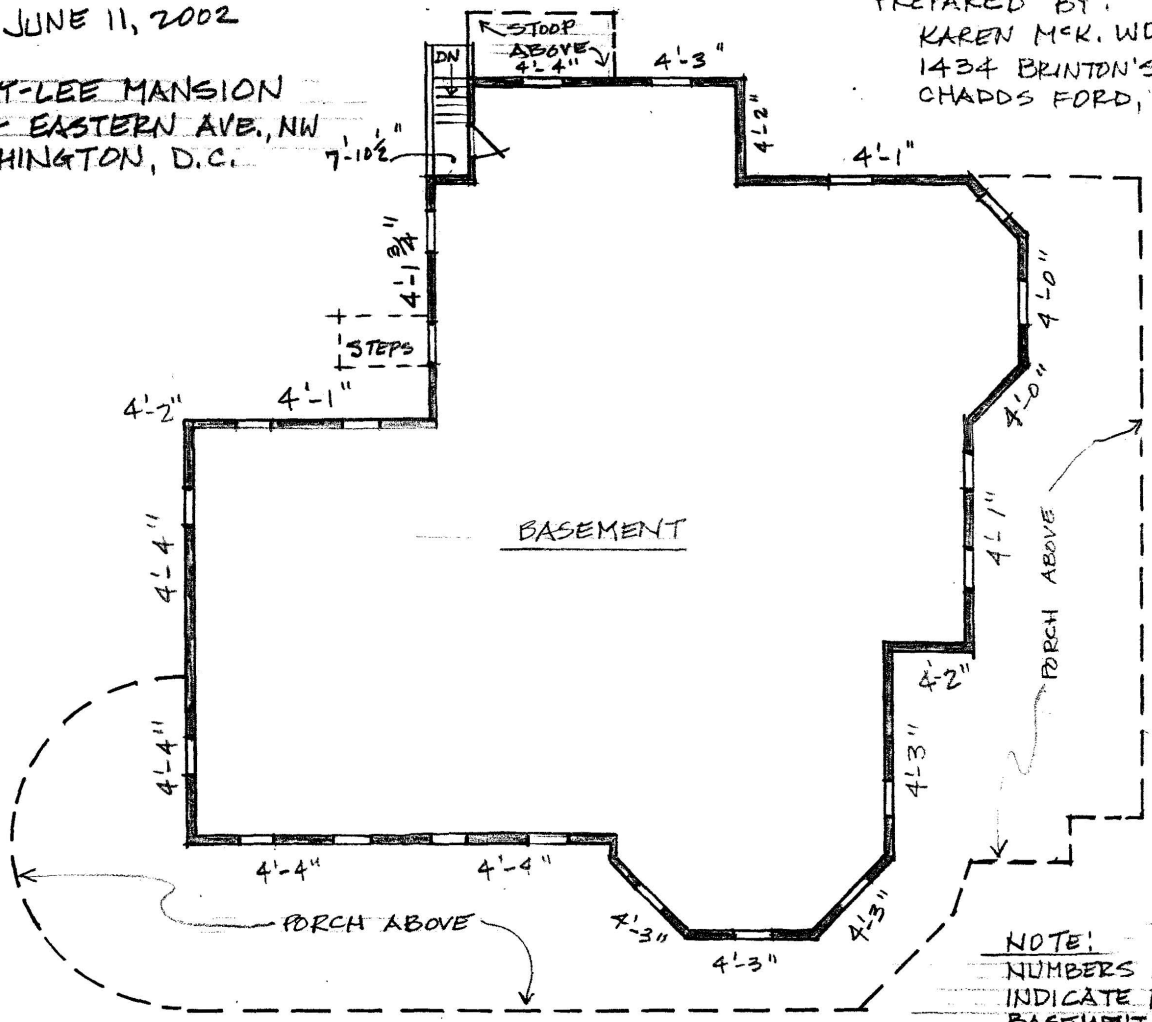
[NOTARIAL SEAL]

My Commission Expires:

EXHIBIT "A"
JUNE 11, 2002

CADY-LEE MANSION
7064 EASTERN AVE., NW
WASHINGTON, D.C.

PREPARED BY:
KAREN McK. WOOD, AIA
1434 BRINTON'S BRIDGE ROAD
CHADDS FORD, PA 19317



BASEMENT PERIMETER

NOTE:
NUMBERS AT PERIMETER INDICATE HEIGHT BETWEEN BASEMENT CEILING AND GRADE OR THE LOWEST POINT AT (5) FEET FROM THE PERIMETER OF THE HOUSE. MIN. (4) FEET REQUIRED.