AFFIDAVIT

INTENDED USE, ZONING REGULATION TEST and NO LEASE STATEMENT

Washington DC, August 15th, 2004

Government of the District of Columbia - Office of Zoning
441 4th Street, N.W. Ste. 210
Washington, DC 20001

Ref.: 1555 9th Street, NW - BZA Application for Partial Third Floor Addition

I, Alejandro Soriano, single fee owner of the property known as 1555 9th Street, NW, Square 397, Lot 819, hereby declare that the above mentioned property is our family's principal and only residence, home to our five children, my wife and I, and we intend to live there as soon as we complete some renovations we are currently undertaking.

I hereby declare that the house is a single-family residence and no other party holds any lease on it or rents any part of it, and that we do not intend to change the house's current use. For administrative purposes, classification may change to a Two Unit Flat (due to an independent entrance at the basement), but use will remain the same.

We are applying for a partial third floor addition totaling 480 square feet, in order to build a master bedroom and a bathroom for ourselves on what is now an existing roof deck. The above-mentioned house was originally built in 1890 and was built to occupy 66% of the lot. The lot is now zoned R-4, thus there is a limitation of 60% on lot occupancy (Section 403). Apart from that *one and only code non-compliance* that originated in 1890 and is now hard to resolve in a Historical Preservation Area, I hereby declare that the proposed addition meets all other requirements for an R4 zone, including number of stories (3), maximum height (less than 40 feet), total building floor area ratio (none prescribed in an R-4 zone), rear yard, side yard and removal from lot lines.

Thus, we are applying to the BZA for a ***Special Exception under Section 223 for a relief on Percentage of Lot Occupancy Requirements (Section 403) and/ or Non-Conforming Structures, if applicable (Section 2001.3)***. We appreciate the consideration of the BZA and petition that it acts promptly on our request to ***ensure that our shared commitment to historic preservation does not impose an uneven burden on homeowners like us, unable to correct our historic properties' slight non-compliances, thus at a disadvantage in regards to other homeowners of non-historical properties and even in regards to many of our own neighbors who already occupy even more of the lot*** (our next door neighbor occupies 100% of the lot) or have additional floors (as does the other adjoining neighbor).

BZA
Case No. 17244
Exhibit No. 4

Alejandro Soriano
Owner of 1555 9th St. NW, Washington DC
Mailing Address: 1300 New York Ave., NW, B708, Washington DC 20577
Phone: 202 744 22 71 (m) or 202 623 1684 (w)

District of Columbia
Subscribe and sworn to before me this 9th day of August 2004

Maria Perez-Molina
Notary Public District of Columbia
My Commission Expires 4/30/2009

Board of Zoning Adjustment
District of Columbia
CASE NO. 17244
EXHIBIT NO. 4