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December 21, 2004

Mr. Geoffrey Griffis, Chairman
Board of Zoning Adjustment
Room 210
441 4th Street, N.W.
Washington, DC 20001

RECEIVED
D.C. OFFICE OF ZONING
2004 DEC 22 PM 3:20

Re: 3027 Rodman Street, N.W. (SQUARE 2060, LOT 33)
BZA Case No. 17263 Supplemental Statement

Dear Mr. Griffis:

This will supplement information contained in our application and its attachments.

The tests for a special exception are set forth in Section 223.1 of the Zoning Regulations. Our plans, pictures, and testimony show, and will show, that there will be no appreciable impact on light and air available to adjacent and nearby properties. Secondly, the privacy of neighbors will not be unduly compromised. Finally, it is demonstrable that the addition, when viewed from the street, will "not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage."

As we indicated previously, neighbors are supportive of the change requested here. They have seen the applicant's plans and signed a petition in support, which is on file in the BZA records. In addition, ANC 3C has voted to support the Application.

Our witnesses will be Ms. Cynthia Ferranto along with the architect, Phil Eagleberger, AIA, whom we will offer as an expert witness.

BZA
Case No. 17263
Exhibit No. 22

Board of Zoning Adjustment
District of Columbia
CASE NO. 17263
EXHIBIT NO. 22

Although it may not be relevant to the BZA's consideration of the case, we note that the property was subdivided several months ago to include two parcels of land deeded to the applicant by the National Park Service. This was part of a general disposition to neighbors abutting the NPS reservation. The deeds give the applicant the right to build on the property but reserve to the NPS the right to review and approve the plans. Approval or rejection must be provided within 60 days; otherwise, the plans are deemed approved. When the original plans were submitted to the National Park Service, NPS requested some changes. Subsequently, the plans underwent major revisions, due partially to comments from the Cleveland Park Historical Society. In due course, they were submitted to the NPS which did not respond. The 60-day grace period has run. Fortunately, subsequent conversations with the NPS indicate that the staff is satisfied with the current plans.

Please call if there are any questions.

Yours very truly,

Stephen N. Gell

Enclosures
Pages from the National Park Service deeds
Resume of Phil Eagleberger, AIA

cc: Cynthia Ferranto

WHEREAS, the Grantor has agreed to convey to the Grantee by Quitclaim Deed, subject to the rights, restrictions and reservations contained herein the fee-simple title to Tract No. 000110 in exchange for a scenic easement over Tract No. 000112;

WHEREAS, the National Capital Planning Commission, at its meeting on June 27, 1996, approved the boundary modification of U.S. Reservation 630, Melvin C. Hazen Park and the exchange of interests in lands as described herein.

NOW THEREFORE, for and in consideration of a Deed of Easement from the Grantees to the Grantor conveying a scenic easement over Tract No. 000112, Melvin C. Hazen Park, the receipt and sufficiency of which is hereby acknowledged, the said Grantor does hereby release and convey all of its right, title and interest, without any warranty covenants expressed or implied, unto the Grantee and her successors and assigns, subject to the rights, restrictions and reservations set forth herein unto that certain parcel of land identified as Tract No. 000110 and described as follows:

Tract No. 000110

All that certain tract or parcel of land lying and being situated in the District of Columbia, and being more particularly described as follows:

All that portion of said Melvin C. Hazen Park lying adjacent to the northern line of Lot 12, in Square 2060 in Catherine T. McCarron's Subdivision in Block numbered Five (5) "Connecticut Avenue Highlands" described as follows:

Beginning at the northeast corner of said Lot 12; thence Westerly, along the north line of Lot 12, 25.28 feet to the northwest corner of Lot 12, thence Northerly, along the extension of the west line of Lot 12, 46.28 feet; thence North 64 degrees East 28.31 feet; thence Southerly, along the extension of the east line of Lot 12, 62.38 feet to the point of beginning.

Containing 0.04 of an acre, more or less.

The above described parcel, designated as Tract 000110, is a portion of Melvin C. Hazen Park, U.S. Reservation No. 630.

FROM : Cynthia Ferranto Landscape Des FAX NO. : 2022499044 Dec. 16 2004 05:50PM P3

approved in advance by the United States.

11. This tract shall not be subdivided or otherwise sold as other than a single parcel combined with Tract No. 00(112. No easements or rights-of-way, over, across, or under this tract shall be granted without the prior written consent of the United States.

12. The United States shall have a right, and shall be permitted, at reasonable times and upon prior notice to the landowner, to enter upon this tract in order to inspect and ascertain whether there is compliance with the restrictions of this instrument.

13. The restrictions herein are not intended to create any duty on the part of the Grantors to permit the public to enter onto this tract, or to create any right of the United States of America to secure entry of the public onto this tract.

14. The restrictions herein are in no way intended to nullify, supersede, or amend any restrictions, or covenants of a more restrictive nature that have previously been placed on title to this tract.

15. The restrictions herein shall run with the land, and shall bind Grantee, her successors and assigns, and the United States of America and its assigns, in perpetuity.

16. Within sixty (60) days of receipt of a written request for prior written approval of the United States to take any action with respect to this tract that is specifically permitted to be taken hereunder, the United States shall (1) either approve or deny such request or (2) respond to such request with a request for necessary additional information or a statement of matters to be resolved before approval may be granted. If the United States fails to respond within sixty (60) days, such request will be deemed to be approved by the United States.

17. Any notices required to be given by either party shall be hand delivered or sent via

WHEREAS, the Grantor has agreed to convey to the Grantee by Deed of Easement a scenic easement over Tract No. 000112 in exchange for the fee-simple title to Tract No. 000110 subject to certain rights, restrictions and reservations mutually agreed to by the Grantor and the Grantee; and

WHEREAS, the National Capital Planning Commission, at its meeting on June 27, 1996, approved the boundary modification of U.S. Reservation 630, Melvin C. Hazen Park and the exchange of land interests as described herein.

NOW THEREFORE, for and in consideration of a Quitclaim Deed from the Grantee to the Grantor conveying the fee-simple title to Tract No. 000110, subject to certain rights, restrictions and reservations, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant and convey with general warranty of title, unto the United States and its assigns, a perpetual easement; the terms conditions and restrictions of the easement being hereinafter set forth; said easement being in, over and across the following described property:

Tract No. 000112

All that certain tract or parcel of land lying and being situated in the District of Columbia, and being more particularly described as follows:

Lot numbered Twelve (12) in Block numbered Five (5) "Connecticut Avenue Highlands", as per plat recorded in the Office of the Surveyor for the District of Columbia in Liber County 18 at Folio 12. Said property being now known for assessment and taxation purposes as Lot numbered Twelve (12) in Square numbered Twenty Hundred Sixty (2060).

Containing 0.04 of an acre, more or less.

(1,854 ± Land)

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inspect and ascertain whether there is compliance with the restrictions of this easement.

16. This easement is not intended to create any duty on the part of the Grantor to permit the public to enter onto this tract, or to create any right of the United States of America to secure entry of the public onto this tract.

17. This easement is in no way intended to nullify, supersede, or amend any restrictions, or covenants of a more restrictive nature that have previously been placed on title to this tract.

18. This easement shall run with the land, and shall bind Grantor, her successors and assigns, and the United States of America and its assigns, in perpetuity.

19. Within sixty (60) days of receipt of a written request for prior written approval of the United States to take any action with respect to this tract that is specifically permitted to be taken hereunder, the United States shall (1) either approve or deny such request or (2) respond to such request with a request for necessary additional information or a statement of matters to be resolved before approval may be granted. If the United States fails to respond within sixty (60) days, such request will be deemed to be approved by the United States.

20. Any notices required to be given by either party shall be hand delivered or sent via first class mail, return receipt requested and shall be deemed given upon receipt. Any correspondence required to be sent to the United States shall be sent to the Superintendent, Rock Creek Park, 3545 Williamsburg Lane, N.W., Washington, D.C. 20008. Any correspondence required to be sent to the Grantor shall be sent to: Katherine W. Leggett, 701 Harris Hollow Road, Washington, Virginia 22747, her successors or assigns or to such other address as the parties shall so designate.

FROM : Cynthia Ferranto Landscape Des FAX NO. : 2022499044 Dec. 16 2004 05:55PM P15

Treacy & Eagleburger, Architects
3335 Connecticut Avenue, N.W.
Washington, DC 20008
202-362-5226

Treacy & Eagleburger Architects PC was established in 1989 and is experienced in a wide range of project types and sizes. The current emphasis is on custom, single-family, residential design. The husband and wife team of Jane Treacy and Phillip Eagleburger, anchors a small, seven-person design firm that enjoys a thriving practice. Its long client list has been established over the years primarily by word-of-mouth and by publicity from numerous awards and publications. The large number of repeat clients testifies to the quality, professionalism, and satisfaction that the firm provides. The firm has designed and had built over 300 projects located in the Washington, DC area, Maryland, Virginia, Delaware, Massachusetts, and Illinois.

Principal Jane Treacy, an architect registered in the State of Maryland (1983), received her Bachelor of Architecture degree in 1979 from the University of Maryland School of Architecture. Prior to private practice, she worked with several firms including Martin & Jones (Washington, DC), CUH2A (Princeton, NJ), Hord, Coplan, Macht (Baltimore, MD), Archetti (Philadelphia, PA), Keyes, Condon, Florance (DC), and Fisher Gordon (DC). Her experience with these firms involved building design that ranged from small to very large residential, commercial, and institutional projects and also a number of large historic restorations and conversions. She is a participating board member of the Cleveland Park Historical Society and is also active as Vice-President of the University of Maryland Alumni Association, raising scholarship funds for students of architecture.

Principal Phillip Eagleburger AIA, an architect registered in Washington, DC (1983), the Commonwealth of Virginia (1993), and the State of Illinois (2003) received his Bachelor of Arts with Honors in Art from Williams College in 1976 and his Master in Architecture from Harvard University in 1980. Prior to private practice he worked with Fred Koetter & Associates (Boston), Jung/Brannen (Boston), George Sexton Associates (DC), McCartney Lewis Architects (DC), Frank Schlesinger Architects (DC), and Keyes, Condon, Florance (DC). His experience with these firms primarily involved designing small to very large residential, commercial and institutional projects as well as urban planning, historic preservation, and lighting and exhibition design. He taught architectural design at the University of Maryland, Catholic University of America, and the Boston Architectural Center. He is a participating board member of the Cleveland Park Historical Society as well as an active member of the committee that reviews projects located in the Cleveland Park Historic District in Washington, DC