

Justification for Party Status
For Lawrence A. Johnston
BZA Application 19221

1. How will the property owned or occupied by such person, or in which the person has an interest be affected by the action requested of the Board?

I have owned, and resided at, 170 N. Carolina Ave., SE, since 1981. That address is directly adjacent to 160 N. Carolina Ave., SE. Both properties are row houses that share a common wall. I am concerned about the effect that the proposed demolition and construction will have on the integrity of my house and about the future effect on my roof of the proposed changes in the configuration of our roofs as they relate to each other.

2. What legal interest does the person have in the property?

Owner.

3. What is the distance between the person's property and the property that is the subject of the application before the Board?

There is zero distance between the two properties. We share a common wall.

4. What are the environmental, economic, or social impacts that likely to affect the person and the person's property if the action request of the board is approved?

I have prepared a separate "Statement" that describes in detail the above impacts and expect to be submitting that document in the future in addition to this questionnaire. But I will summarize here. Contrary to what is represented in the application filed by Mr. Presnall, the owner of record of the subject property is not Mr. Presnall, but rather the Jefferson Institute, a non-profit corporation. The reason that the Jefferson Institute is able to insert its offices at that location is the Home Occupation Permit obtained by Mr. Presnall. However, the Home Occupation Permit is invalid because the property is not the principal residence of Mr. Presnall, and several neighbors and I are in the process of challenging that permit with the Department of Consumer and Regulatory Affairs. I believe that any expansion of the property will only serve to increase an inappropriate intrusion of a business interest in a residential zone, and next door to my home.

In fact, neither Mr. Presnall nor his family appear to reside there at all. Mr. Presnall is in fact the owner of record of a property at 310 9th Street, NE, where he enjoys the DC Homestead Deduction, which also requires a representation by the homeowner that the home is the principal residence of the homeowner. Mr. Presnall also has an address in Maryland which is the address he used in the application on Form 120. That address is 3903 Leland St., Chevy Chase, MD. Mr. Presnall is the owner of record of the property at that address as well, and lists that house in the associated property tax records as his principal residence. Mr. Presnall stated publicly at the February 11, 2016, meeting of the Zoning

Committee of the Capitol Hill Restoration Society that he sends his children to school in Maryland, has a Maryland driver's license, and votes in Maryland. In the four and one-half years that Mr. Presnall claims to have resided at 160 N. Carolina Ave., I have never seen his two children who I understand are aged 10 and 12. In fact, I first learned of their existence from the application for variances. During that same period of four and one-half years, the subject property has been regularly dark and silent on weekends and after dark on weekdays, an observation that I expect to be confirmed by my neighbors (including my witnesses at the BZA hearing) at the upcoming ANC meetings regarding the application.

The architectural integrity of my block in the Capitol Hill Historic District would be compromised by the proposed addition. Contrary to representations made in the architectural drawings provided by Mr. Presnall, the proposed addition will be visible from the street near my house. From a viewpoint slightly to the left of the property, the addition would be easily visible from the sidewalk by looking up through the open space between the property and 158 N. Carolina Ave. It also would be visible from pedestrians standing in Providence Park across from 2nd Street, and other vantage points that are not directly in front of the property. Currently, the roof line caused by the Victorian houses at 170, 172, and 174 N Carolina Ave. (and currently maintained by the roof line of 160 N Carolina Ave.) is suddenly and interestingly disrupted by the pointed roofs of 156 and 158 N Carolina Ave., giving visual testimony to the fact that those houses were built much earlier in the 19th century. The new addition on top of 160 N Carolina Ave. would disrupt that interesting dichotomy as viewed from Providence Park.

Also, the addition would be a substantial encumbrance to my light and air quality. Looking up at the current roofline of the subject property, as quite visible from the upper level of my back porch, the increased height and narrowing of width caused by the proposed addition as it will exist above the open court adjacent to my house would create an oppressive intrusion into my enjoyment of my own property.

5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Board is approved or denied.

I am concerned about the precedent that the proposed addition will set regarding other houses on my block (and across the Capitol Hill Historic District and elsewhere in the Capitol Hill neighborhood). For example, the properties at 170, 172, and 174 N. Carolina Ave. share similar architectural configurations, including attic space that would be a tempting candidate for future expansion similar to the expansion provided by Mr. Presnall.

Also, the weeks or months of demolition and construction would severely impede free access to the alley to the rear. Unlike most alleys, the alley that serves the northern side of the 100 block of N. Carolina Ave. and the southern side of the 100 block of D Street has only one entrance—down the block on 1st Street. Large utility trucks such as garbage trucks, after making it uphill to the upper end of the alley in the vicinity of 160 N. Carolina Ave., cannot turn around. They have to back out all the way back down the hill. One can often observe confused drivers not familiar with the alley having to make unanticipated 3 or 4-point turns to turn around at Also, the weeks or months of demolition and construction would severely impede free access to the alley to the rear. Unlike most alleys, the alley that serves the

northern side of the 100 block of N. Carolina Ave. and the southern side of the 100 block of D Street has only one entrance—down the block on 1st Street. Large utility trucks such as garbage trucks, after making it uphill to the upper end of the alley in the vicinity of 160 N. Carolina Ave., cannot turn around. They have to back out all the way back down the hill. One can often observe confused drivers not familiar with the alley having to make unanticipated 3 or 4-point turns to turn around at the dead end, hitting into trash cans, bumping into garage doors, and threatening the many cars parked in parking spaces adjoining the alley. One can assume that the proposed construction would have a similar but exaggerated effect, and will impose a serious amount of hardship for residents both on N. Carolina Ave. and D Street. One can assume that the proposed construction would have a similar but exaggerated effect, and will impose a serious amount of hardship for residents both on N. Carolina Ave. and D Street.

6. Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public.

My property is uniquely situated with respect to the property at 160 N. Carolina Ave., as it shares a common wall with the subject property all along the side, except for the open court. I believe that the integrity of that common wall and of my roof would be placed in danger by the proposed demolition and construction. Also, the effect of the elements on my roof would inevitably be impacted by the proposed changed configuration of the roof of the subject property. For example, I can envision large snow drifts forming on my roof in future blizzards, like the one occurring last January, after the proposed addition is in place.