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June 20, 2018

Government of the District of Columbia
Board of Zoning Adjustment
441 4th Street, N.W., Suite 200-210
Washington, DC 20001

RE: BZA Application No. 19768

Dear Board Members:

Please be advised that I am being retained effective immediately to represent Timothy States, who resides at 948 S Street, N.W. His property is directly and significantly affected by the subject development due to its contiguous location to the subject development.

Mr. States, a non-lawyer, has been limited in his ability to manage the myriad of legal and other issues related to the immediate zoning matter. By this correspondence, he is respectfully requesting leave to be identified as a party in the BZA hearing schedule in the above captioned matter on June 27, 2018.

Prior to the immediate representation, Mr. States did not dutifully grasp the 14-day notice provision indicated on the Form 140. Of particular note, the May 14, 2018 correspondence transmitted to affected residents within “200 feet of the subject property indicated in the application” fails to state any specific time sensitivity for purpose of participation in the case, this is despite a narrative on “How to Participate in The Case” and a Notation (“Please note”) regarding possible rescheduling or withdrawal prior to the scheduled hearing. The 14-day timeline is in a separate and distinct document.

Given the significant of the zoning issues to affected residents, absent a detailed statement as to time and notice requirements, as here, affected parties – particularly non-lawyers or those not represented by counsel - may not observe the indirect notice provision. Mr. States did not – but should not be prejudiced.

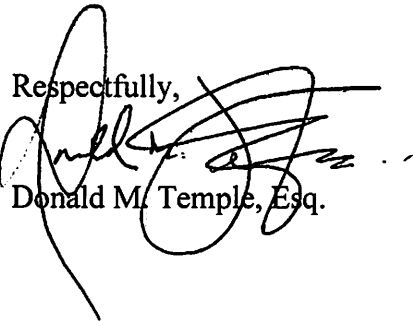
Timothy States a property owner of twenty (20) years, resides at 948 S Street, N.W. His property is 10-15 feet from the proposed development site. It is affected because it is located directly next to the development.

Additional concerns include the following:

1. The development directly affects Mr. State's property in several respects –
 - a) impedes rear access from his property;
 - b) directly affects public safety – particularly in cases of a fire in the rear of his or the development property access to these properties is restricted by the proposed construction;
 - c) the development directly affects light and air space rights – which indirectly affects heat flow and energy costs;
 - d) the development affects parking which is already limited.
2. Resale value is equally affected – and potentially reduced.
3. The affected community did not receive due and appropriate notice about the development. Correspondingly, no vote was taken by the affected French Street Neighborhood Associations to ascertain its support. Hence, the BZA cannot fully ascertain the immediately affected neighborhood's view about the development.

For this reason, Mr. States urges the BZA to grant him leave to file his request for party status – out of time, and to be permitted such party status for purpose of the June 27, 2018 hearing. His estimated case would last no longer then 75-90 minutes.

Should you have any questions, please do not hesitate to contact me directly. Thank you in advance for your cooperation.

Respectfully,

Donald M. Temple, Esq.