

February 10, 2021

VIA EMAIL

Chairperson Frederick L. Hill
Secretary Clifford W. Moy
Board of Zoning Adjustment
441 4th Street, NW
Suite 200/210-S
Washington, DC 20001

RE: Application No. 20382 (Haider Haimus and Jessica Bachay (the “Applicants”) Regarding 308th 11th Street, N.E. (the “Applicant’s Structure”). Party Status Application in Opposition from Winfield Wilson and Veena Srinivasa, the owners of the directly adjacent home to the north at 310 11th Street, N.E. (the “Wilson Residence”)

Chairperson Hill, Secretary Moy, and Honorable Members of the Board:

Winfield Wilson and Veena Srinivasa, the owners and residents of 310 11th Street, N.E. (the “Wilson Residence”), respectfully request Party Status, in opposition to the above-referenced case, originally scheduled for a hearing on February 24, 2021.

The Applicants seek special exception relief from the lot occupancy requirements and alley centerline setback requirements for proposed additions to a residence located in the Capitol Hill Historic District, in RF-1 Zone. Such additions include a 4th-level addition and roof deck to an existing 3-level rowhouse (the “Applicant’s Structure”) and a second-story addition to an existing detached garage (the “Applicant’s Garage”).

Request for Advanced Party Status Meeting

Pursuant to Subtitle Y § 404.4 Winfield Wilson and Veena Srinivasa submit a request for advanced party status in opposition consideration at the public meeting scheduled for February 24, 2021. This document supplements Form 140.

Winfield Wilson and Veena Srinivasa will be significantly, distinctively, and uniquely affected by the Applicant’s requested relief from lot occupancy and alley centerline setback, if granted, because the Wilson Residence is directly adjacent to and shares a party wall with the Applicant’s Structure and the Applicant’s Garage. If granted, the requested special exceptions will permanently and irreparably block the privacy, airflow, openness, light, and quiet available to the Wilson Residence.

Party Witness Information

1. A list of witnesses who will testify on the party’s behalf;

Winfield Wilson and Veena Srinivasa will testify individually, and they reserve the right to add witnesses at the time of the public hearing.

2. A summary of the testimony of each witness;

All witnesses will testify, collectively or individually, that proposed additions of the Applicants will substantially and adversely impact the privacy, airflow, openness, noise levels, and light available to the Wilson Residence, that the use and enjoyment of the Wilson Residence (including the rear yard) will be unduly compromised, and unduly impose on shared party walls of the Wilson Residence (both the main structure and detached garage). The proposed additions are out of character with the historic neighborhood of adjacent rowhouses located at 306 11th Street N.E., the Wilson Residence, and 312-318 11th Street N.E., the character of which has been maintained since construction in 1918. Further, the witnesses will detail that the special exception relief is not supported by the Zoning Regulations.

3. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts; and

Winfield Wilson and Veena Srinivasa reserve the right to supplement the record and provide information pertaining to witnesses or expert witnesses at a future date before the hearing.

4. The total amount of time being requested to present your case.

Winfield Wilson and Veena Srinivasa anticipate jointly presenting their case-in-chief in approximately 30 minutes.

Party Status Criteria

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 Commission/Board?

The requested special exception relief will unduly impact the light, air, privacy, and quiet enjoyment available to the Wilson Residence. This impact will be significant and distinct and will more uniquely impact the Wilson Residence because it is directly adjacent to the north of the Applicant's Structure and Applicant's Garage on an East-West orientation and the proposed additions will block what is now unobstructed airflow, openness, and light. Further, the proposed windows and Juliet balcony in the proposed addition to the Applicant's Garage will significantly undermine privacy given that they will be only feet away from, and will look directly into, the Wilson Residence. With respect to the proposed addition to the Applicant's Structure, the proposed enlarged window adjoining the proposed spiral staircase will look directly into the main bathroom of the Wilson Residence and into a bedroom. Finally, the proposed 4th-level addition and roof deck will be above and adjacent to the bedrooms of the Wilson Residence, unduly increasing noise disturbances. The height and design of the proposed addition to the Applicant's Structure will adversely impair the canopy of the large elm tree that qualifies as a Heritage Tree and straddles the property line of 310 11th Street N.E. and 308 11th Street N.E.

2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)

Winfield Wilson and Veena Srinivasa are the owners and residents of record of the directly adjacent property to the north at 310 11th Street, N.E.

3. What is the distance between the person's property and the property that is the subject of the application before the Commission/Board? (Preferably no farther than 200 ft.)

The Wilson Residence is directly adjacent to, and both the main structure and the detached garage of the Wilson Residence share a party wall with the Applicant's Structure and the Applicant's Garage.

4. What are the environmental, economic, or social impacts that are likely to affect the person and/or the person's property if the action requested of the Commission/Board is approved or denied?

If the requested relief is approved, the Wilson Residence will be subject to numerous environmental, economic, and social impacts, including unduly adverse impacts on privacy, airflow, openness, sunlight, and quiet.

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

The proposed additions will have significant and distinct adverse impacts on the use of the Wilson Residence. Winfield Wilson and Veena Srinivasa reserve the right to supplement the record to include additional evidence on this matter.

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.

Because the Wilson Residence is directly north and immediately adjacent to the Applicant's Structure, the interests of Winfield Wilson and Veena Srinivasa will be more significantly, distinctly, and uniquely affected than others in the general public, especially since all of the light for the rear yard of the Wilson residence comes from the southernly direction. In the block of seven rowhouses, beginning to the south with 306 11th Street N.E. and running north to 318 11th Street N.E., the Wilson Residence is the *only* residence which has not extended the footprint of the residence with a two-story addition to the rear (measuring approximately 8 feet to the rear, extending west). The proposed additions will further hem in and crowd the available space in the rear year of the Wilson Residence, impairing light, privacy, and enjoyment. Additionally, trimming or removing the elm tree will reduce the shade to the Wilson Residence and reduce the aesthetics and overall environmental benefits.

The proposed additions will result in significant and irreparable reductions of airflow, openness, privacy, sunlight, and quiet to the Wilson Residence. In conclusion, Winfield Wilson and Veena Srinivasa respectfully request that the Board grant their request for party status in opposition. Thank you for your attention to this matter.

_____/s/_____
Winfield Wilson

_____/s/_____
Veena Srinivasa

Certificate of Service

I, Winfield Wilson, hereby certify that on February 10, 2021, I served a copy of this Party Status request in opposition via e-mail to the recipients below:

_____/s/_____
Winfield Wilson

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