

**Party Witness Information:**

**1. List of witnesses who will testify on the party’s behalf, including expert witnesses and qualifications**

Mary Lee – owner of the property, will testify as to the adverse impacts of the requested zoning relief and the unexceptional nature of the Applicants’ lot.

Rebecca Stack. Ms. Stack is an expert in stormwater management. She is a senior engineer and principle with Design Green LLC with over 15 years of professional experience in ecosystem engineering and watershed planning. A statement of capabilities is attached.

Guillermo Rueda. Mr. Rueda is a District of Columbia Registered Architect with more than 25 years of practice. He is a Principal at MCP Inspections, LLC a DC approved third-party agency for plan review and inspections. Mr. Rueda has been qualified as an expert zoning witness in numerous contested cases before the BZA. Mr. Rueda will serve as an expert zoning witness and will testify to the implications of the requested variance requested by the Applicant, the unexceptional nature of the lot in question, and the impact of the requested variances on the zone plan.

Additional witnesses may be added later.

**2. Time requested to present case: 30 minutes.**

**Responses to Party Status Criteria in Form 140**

**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?**

My home is located at 3005 Albemarle Street NW, Washington, DC 20008, and is adjacent to and directly south of the property that is the subject of the application

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

Owner

**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.)**

My property shares a property line with 3007 Albemarle St.

**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 variance is approved for subdivision of the property and placement of the second house, accessed by the pipestem driveway:

- 1) I believe that my property will be devalued by virtue of the significantly larger and taller size of the proposed homes to be constructed, which is larger than others in the neighborhood. The planned three- story house is 35 feet high and with an internal area of 6000 sq ft will tower over my home due to the higher elevation of the lot and awkward configuration via the pipestem driveway.
- 2) There is a longstanding storm water run off problem from the 3007 property where development of the second house is planned. Storm water travels down the site of the planned house, continues down the lane and onto Albemarle St itself creating an ice slick and dangerous road conditions in winter. The plans for stormwater management planned in conjunction with the construction of his two large houses have not been vetted by experts in DC Government. There has been no review of this plan to determine whether it is adequate. I fear that placement of a house which will be cited where storm water flows will create more complex storm water run off problems.

**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 existing record lot being large is not an extraordinary or exceptional situation or condition of the subject property. There are numerous large lots in the Forest Hills neighborhood and there is even a lot with a pipestem driveway within the same square as the Applicants' property. See Applicant's Exhibit 14. The existing record lot is conforming, satisfies the minimum lot width and lot area requirements for the R-8 zone, and is already improved with a detached building for single-household residential use. As a result of the disfavored pipestem driveway, the Applicants' proposed subdivision and development of the lot would allow a development with a height and set back that is incompatible with neighboring properties.

The stormwater impacts would be inconsistent with the purpose and intent of the R-8 Forest Hills Tree and Slope Protection Residential House Zone, which seek to prevent significant adverse impact on environmentally sensitive natural areas, limit permitted ground coverage and alteration of natural terrain and tree removal. 11 DCMR §§ D-500.1, 500.2.

The requested variances and attendant stormwater impacts would be a substantial detriment to the public good and would substantially impair the intent, purposes and integrity of the zone plan. Therefore, the Application does not satisfy the standards for an area variance. *Id.* § X-1001.1

**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.**

The construction of a house abutting my property that is larger than the surrounding houses including my house will devalue my house, and will worsen storm water runoff. As a result of this proximity, I believe that I will be more significantly, distinctively, and uniquely affected by the proposed zoning application in both character and kind than a member of the general public.

Regarding the latter, I have gone to great expense to install a sump pump and French drain in my basement due to severe flooding due to storm water runoff, therefore, I am worried about worsening storm water run off from the hill above where 3007 Albemarle Street.

Certificate of Service

I hereby certify that, on December 3, 2021, a copy of the foregoing Request of Mary Lee to participate as a party in opposition to BZA Case No. 20594 was served by email on the following:

Paul Harrison, Applicant  
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