

BEFORE THE ZONING COMMISSION OR BOARD OF ZONING ADJUSTMENT OF THE
DISTRICT OF COLUMBIA

FORM 140 - PARTY STATUS REQUEST

Pursuant to 11 DCMR §§ 3022.3 or 3106.2, a request is hereby made, the details of which are as follows:

Case Number:	21360
Original Hearing Date:	10/29/2025
Will you appear as a(n)	Opponent
Are you requesting Advance Party Status to be considered at a public meeting least 14 days prior to the scheduled public hearing date? (Pursuant to Subtitle Y Section 404.4 / Subtitle Z Section 404.4)	No
If yes, I hereby request Advance Party Status consideration at the public meeting scheduled for:	

Party Status Requestor Information

Name: Joanna Perkowska

E-mail: perkowskajoann@gmail.com

Address: 1220 Potomac Street NW, Washington, DC 20007

Phone No.s: 646 627 7047

Legal Counsel Information (If appearing through legal counsel)

Name:

E-mail:

Address:

Phone No.s:

Certificate of Service

Name	Email	Type
M & Potomac Streets Associates	pete@malliosrealty.com	Applicant
Gregory Kearley	gkearley@inscapestudio.com	Applicant
Advisory Neighborhood Commission 2E	2E@anc.dc.gov	ANC
Commissioner Mimsy Lindner, SMD 2E05	2E05@anc.dc.gov	ANC
Commissioner Paul Maysak, SMD 2E03	2E03@anc.dc.gov	ANC

After submitting this request, you must download the form and accompanying documents from the case file and serve it on all parties.

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this appeal is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. (D.C. Official Code § 22-2405)

Signature	Joanna Perkowska
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Joanna Perkowska
1220 Potomac Street NW
Washington, DC 20007
perkowskajoann@gmail.com

BEFORE THE DISTRICT OF COLUMBIA

BOARD OF ZONING ADJUSTMENT

In the Matter of:

Application of M & Potomac Street Associates

BZA Application No. 21360

Property Address: Prospect Street NW, Square 1206, Lot 832

PARTY IN OPPOSITION REQUEST

Pursuant to Subtitle Y § 404 of the D.C. Zoning Regulations, I request to be recognized as a party in opposition to the above-captioned application. I am the owner and resident of 1220 Potomac Street NW, Washington, DC 20007, which directly abuts the subject property and will be substantially and specifically affected by the relief requested.

My property shares a contiguous boundary with Lot 832; the separation between the parcels is zero feet.

Because my home directly adjoins the subject lot, the proposed construction would uniquely and distinctively affect my property through loss of light, air, privacy, and open-space character—impacts that no other member of the general public will experience.

STATEMENT OF OPPOSITION

This application seeks extraordinary relief:

- A lot-area variance (64 % deviation);
- A lot-occupancy variance (30 % deviation);
- A rear-yard setback special exception (8'-2¼" deviation); and
- A west side-yard setback special exception (4.25' deviation).

ANC Opposes Lot-Area and Occupancy Variances

Advisory Neighborhood Commission 2E reviewed the application in detail and acknowledged near-universal objections from neighboring residents. The Commission noted that the project seeks four separate zoning relief approvals and concluded that such extensive relief is not in the neighborhood's best interest. While the ANC did not oppose the rear-yard or side-yard exceptions, it expressed strong concern about the proposed removal of trees and loss of open space. Most importantly, the Commission did not support the lot-area variance or the 30% lot-occupancy variance, finding those requests excessive for an undersized lot.

Under D.C. Code § 1-309.10, the Board must give the ANC's position great weight. The ANC's clear and unanimous opposition to the major variances should guide the Board to deny the application.

I. Variance Standards Not Met (Subtitle X § 1000.1)

1. No Exceptional or Peculiar Practical Difficulty

The claimed hardship arises solely from the undersized lot—a condition known and self-created by the applicant. This parcel has remained vacant for decades precisely because it is too small for compliant development. That is not a hardship; it is the exact circumstance the zoning code was designed to address.

2. Substantial Detriment to Adjacent Property

Granting relief would permit overdevelopment of a substandard lot at the expense of adjacent owners. A bulky structure covering nearly 70 % of the lot (where only 40 % is allowed), with minimal setbacks, would block light, reduce air circulation, erode privacy, and eliminate one of the block's last green buffers.

For more than forty years, Lot 832 has remained open, providing shared light, greenery, and visual relief to neighboring homes. It has also functioned as a walkway for the Eton Condominium owners. Building on it would erase that historic openness and replace it with solid massing directly along my property line, causing permanent adverse effects on the environment and adjacent properties.

3. Inconsistent with the Zoning Map and Public Policy

The applicant's comparisons to other "small" lots in the R-3/GT zone are misleading. Those lots are typically attached rowhouses or were developed under different circumstances decades ago. None involve creating a detached new dwelling on a vacant, undersized parcel with extreme deviations from lot area, setbacks, and coverage. Approving this request would invite speculative overbuilding contrary to the intent of the R-3/GT zone and the protections of the Georgetown Historic District.

II. Special Exception Standards Not Met (Subtitle X § 901.2)

The proposed structure would have a substantially adverse effect on neighboring properties:

- **Light and Air:** The applicant's shadow study is incomplete and misleading. It models shadows at only three fixed times on three "idealized" dates (summer solstice, equinox, and winter solstice), relies on flat plan-view diagrams with no 3-D perspectives, and ignores shade duration, intensity, and real-world conditions such as trees, topography, and actual building masses. Adjacent properties are depicted as abstract shapes rather than occupied, light-dependent spaces, masking the true cumulative impact on windows, yards, and outdoor areas. Its conclusion of "negligible impact" is therefore not credible.
- **Privacy:** Windows and massing within feet of neighboring properties would unduly compromise privacy.
- **Visual Intrusion:** The renderings depict tree cover and buffers that will not remain, masking the project's true visual impact on Prospect Street's historic rhythm and open-space character. The proposed construction would eliminate mature trees and greenery that serves as a natural buffer for decades.

III. Procedural Defects and Misrepresentations

- **Property Mislabeling:** My property remains mislabeled on the applicant's submissions despite my repeated efforts to address it.
- **Public Notice Failure:** No required public-notice signage was posted before the Old Georgetown Board hearing, depriving neighbors of timely awareness.
- **Mischaracterized Concept Approval:** The applicant cites OGB/CFA "concept approval" as endorsement. In fact, concept review is preliminary and conditional and occurred before neighbors could review or object. It does not relieve the BZA of its independent obligation to apply the variance and special exception tests.

IV. Conclusion

This application fails every element of the governing standards:

- The hardship is self-created.
- The relief requested is extraordinary, not minimal.
- The adverse impacts on neighbors and the historic district are substantial.
- The record reflects procedural irregularities and mischaracterizations.
- Lot 832, a substandard-size parcel, has served for nearly 45 years as an open green buffer, making it an ill-suited site for construction of a detached residence covering nearly the entire lot in the Georgetown Historic District
- The ANC unanimously opposed the application, and the Board is legally required to give that opposition great weight.

For these reasons, I respectfully request that the Board of Zoning Adjustment deny the relief sought in BZA Application No. 21360.

Respectfully submitted,

Joanna Perkowska

Owner and Resident, 1220 Potomac Street NW

Washington, DC 20007

perkowskajoann@gmail.com

Exhibit B – Witness Information - BZA Application No. 21360

Witnesses Who Will Testify:

Joanna Perkowska, Owner/Resident, 1220 Potomac Street NW, Washington DC 20007

Summary of Testimony:

The witness will testify regarding direct adverse impacts to light, air, privacy, and procedural irregularities in the application process. The testimony will further reference the unanimous ANC 2E opposition and the application's inconsistency with the R-3/GT zoning and historic preservation goals.

Expert Witnesses: None.

Time Requested: 5 minutes.

Exhibit C – Party Status Criteria –BZA Application No. 21360

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

My property at 1220 Potomac Street NW directly abuts the subject parcel (Lot 832). The proposed construction would significantly reduce light and air to my home, eliminate mature trees and greenery that have served as a natural buffer for decades, and permanently alter the open-space character of this part of the block. The project would introduce massing and visual intrusion out of scale with adjacent properties and diminish the livability and privacy of my residence.

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

I am the owner and resident of the property located at 1220 Potomac Street NW, Washington DC 20007

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

0 feet. The lots are contiguous and share a boundary line.

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

Approval would allow an oversized structure that blocks natural light, reduces airflow, increases runoff and noise, and erodes the historic green buffer. These impacts would disrupt privacy and

open space, diminish the block's historic integrity, lower quality of life, and threaten property values and the spatial rhythm defining the Georgetown Historic District.

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

For more than forty years, the adjoining lot has remained open and visually accessible, providing shared light, greenery, and breathing space to neighboring homes. The proposed construction would erase that long-standing openness and introduce a solid wall of building mass directly along my property line, fundamentally changing the visual, environmental, and spatial relationship between our lots.

6. Explain how your interests will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of the general public.

Because my property directly abuts the subject lot and shares a boundary line, I will experience immediate and unique adverse impacts on light, air, and privacy that no other member of the general public will face. My exposure to the proposed structure's massing, noise, and loss of greenery is direct and distinctive, making the harm to my property both significant and individualized.

AFFIDAVIT OF SERVICE

BZA Application No. 21360

Property Address: Prospect Street NW, Square 1206, Lot 832

Applicant: M & Potomac Street Associates

Date of Filing: October 15, 2025

AFFIDAVIT OF SERVICE

I hereby certify that on October 15, 2025, I served true and correct copies of my Party Status Request (Form 140) and Statement of Opposition upon the following parties, by electronic mail, as required by Subtitle Y § 404.1 of the D.C. Zoning Regulations:

1. Applicant and Agent

Applicant:

M & Potomac Streets Associates

7517 Hackamore Drive

Potomac, Maryland 20854

Email: pete@malliosrealty.com

Agent:

Gregory Kearley

Rear 926 N Street NW

Washington, DC 20001

Email: gkearley@inscapestudio.com

2. Advisory Neighborhood Commission 2E

Email: 2E@anc.dc.gov

Commissioner Mimsy Lindner, SMD 2E05

Email: 2E05@anc.dc.gov

Commissioner Paul Maysak, SMD 2E03

Email: 2E03@anc.dc.gov

I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Signature: Joanna Perkowska

Name: Joanna Perkowska

Address: 1220 Potomac Street NW

Washington, DC 20007

Email: perkowskajoann@gmail.com

Date: October 15, 2025