

Tab B

In support of the attached Party Status Application Form, Dana Madalon submits the following information:

Party Witness Information

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

a. Dana Madalon

b. Reserves the right to add witnesses, as necessary

2. *A summary of the testimony of each witness;*

Ms. Madalon will testify regarding the proposed addition's impact to the light, air, privacy and use and enjoyment of her home.

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*

No expert witnesses are anticipated at this time, although Ms. Madalon reserves the right to call additional witnesses, including experts, if necessary.

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

45 minutes.

Party Status Criteria

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

The Applicant, William Michael Ellis Jr. Trustee and Jeanne Van Voorhees Ellis Trustee ("Applicant"), requests special exception relief from the standards for lot occupancy and rear yard to build an addition (the "Project") on their single-family home at 1610 32nd Street NW (the "Ellis Property"). Ms. Madalon has owned the abutting property at 1614 32nd Street NW (the "Madalon Property") for 27 years. The Madalon Property is improved with a single-family home that has the same layout as when Ms. Madalon purchased the property. The Madalon Property directly abuts the Ellis Property's northern lot line, and the two homes share a party wall.

The Project will impact Ms. Madalon's access to light and air as well as the privacy of use and enjoyment of the Madalon Property. The Applicant has not met the standard for special exception relief as the burden of proof is silent as to the potential impacts of the Project on the Madalon Property.

2. *The legal interest each person has in the property;*

Ms. Madalon owns the property at 1614 32nd Street NW.

3. *The distance between the person's property and the property that is the subject of the application before the Board;*

Zero feet - the Madalon Property shares a lot line with the Ellis Property.

4. *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 Board is approved or denied;*

The following is a list of impacts to the Madalon Property that would result if the Board grants the Applicant's request for special exception relief.

Light and Air

Although the Applicant frames the Project as a modest addition, the Project will have an out-sized impact to the light and air available at the Madalon Property. This out-sized impact is due to the relatively unique layout of the Madalon Property and the siting of the proposed Project.

Specifically, Ms. Madalon's home extends beyond the rear of the Applicant's home, with Ms. Madalon's kitchen (ground level) and a bedroom (second level) directly perpendicular to the proposed addition. Critically, the rear part of Ms. Madalon's home is setback from the shared lot line allowing for several large windows on both levels that face directly toward the Ellis Property. Ms. Madalon's house also has skylights above the ground level that are located along the shared lot line with the Ellis Property. The southern-facing windows are the only windows into Ms. Madalon's kitchen and bedroom. The windows and skylights provide excellent access to sun light and air flow. The Madalon Property also has an outdoor space between the home and the shared lot line with the Ellis Property.

The Project proposes to extend the second¹ level of the Applicant's home an additional 10 feet beyond the rear wall of the existing ground level. This includes a structural addition of the home and a new terrace with spiral staircase, which is located directly at the shared property line with the Madalon Property. While the terrace and staircase are technically open at the ground level, the positioning along the property line will create the same impact to the Madalon Property as a structural addition. The Ellis Property is also located to the south of the Madalon Property, which means it is positioned to have the greatest impact on available sunlight. Accordingly, the Project will create a cavern-like condition that significantly reduces sunlight to the Madalon Property's kitchen and bedroom windows, the skylights, and the outdoor space.

Privacy of Use and Enjoyment

The Project will also unduly impact Ms. Madalon's privacy of use and enjoyment of her home. The proposed terrace is sited along the shared property line and will allow views directly into the kitchen and a bedroom at the Madalon Property. The terrace will also hover over Ms. Madalon's outdoor space, which is only approximately eight feet in width.

¹ The Applicant references the second level as the "main level" because the home's front entrance is at the second level.

While there is an existing second floor deck at the Ellis Property, the Project will have a greater impact on the privacy of use and enjoyment of the Madalon Property. The existing deck is somewhat shielded by a second level fence along the shared lot line. Yet, the terrace will have only a guardrail, with no privacy fencing whatsoever. The terrace will also preclude any meaningful tree plantings at the Madalon Property that could offer additional privacy.

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;*

As noted, the Applicant's framing of the Project as a "slight" expansion is somewhat misleading. While the Project is increasing lot occupancy by only 6%, this figure obscures the extent of the addition. The Ellis Property's ground level extends beyond the existing second level. This means that the expansion of the second level largely will not contribute to lot occupancy because there is an existing structure underneath.

However, the proposed second level with terrace will extend 19 feet as measured from the rear wall of the existing second level. The second level will be increased by approximately 305 sq. ft. of interior space plus an additional 48 sq. ft. terrace.² The Project is not nearly as minor as the Applicant claims, especially as it relates to Madalon Property.

6. *An explanation of 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 Madalon Property directly abuts the Ellis Property, with the Project largely impacting the shared lot line between the two properties. The existing layout of Ms. Madalon's home makes the Project impact significantly more acute, even as compared to other nearby properties. Ms. Madalon's light, air and privacy of use and enjoyment will be uniquely and negatively impacted by the Project.

² These figure is calculated based on the stated dimensions of 13' x 23'5" for the interior addition and 6' x 8' for the terrace on Sheet A100 of the architectural plans.