

November 14, 2017

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VIA IZIS

Frederick L. Hill, Chairperson
Board of Zoning Adjustment
441 4th Street, NW
Suite 210S
Washington, DC 20001

**Re: Application No. 19659 (Federation of State Medical Boards) – Party status
Application in Opposition from the Sheridan Kalorama Neighborhood Council**

Chairperson Hill and Honorable Members of the Board:

The Sheridan Kalorama Neighborhood Council (“SKNC”), through its undersigned attorneys, respectfully requests party in opposition status to the above-referenced case, scheduled for hearing on December 20, 2017.

The Applicant seeks variance and special exception relief to allow a non-profit office in the building located at 2118 Leroy Place NW (the “Property”), which is surrounded by single-family residential homes. The Property is located on a narrow, tree-lined, one-way street in the Sheridan-Kalorama residential neighborhood. The Property is zoned R-3, a low-density residential zone and is also located in the Sheridan-Kalorama Historic District.

The SKNC submits its request for advanced party status in opposition, to be considered at a public meeting on either November 15, 2017 or November 29, 2017.

The requesting party is John Sukenik on behalf of SKNC. See Agent Authorization letter at **Exhibit A**. The SKNC, a non-profit organization, has served as the neighborhood association for Sheridan Kalorama for more than 60 years. The SKNC satisfies the requirement for Party in Opposition because:

- a. The core interest of the SKNC is to maintain or preserve the residential quality of the Sheridan Kalorama neighborhood and uphold development standards that are compliant with the Zoning Regulations, and the Application at hand seeks to violate those standards.
- b. The non-profit office use proposed in the BZA Application threatens to disrupt the residential nature of the neighborhood and negatively impact adjacent neighbors.

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Form 140 is enclosed in this filing, and the answers to the questions therein are addressed in turn below:

Party Witness Information

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

Christopher Chapin, SKNC Executive Committee, and/or other SKNC Members

SKNC reserves the right to add witnesses at the time of the public hearing.

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

The witness(es) will argue, collectively or individually, that the special exception and variance standards are not met and that the proposed use is out of character with the residential neighborhood and would adversely and unduly affect neighboring properties. The SKNC witnesses could also argue that approval of the requested application could establish a negative precedent for the use of buildings of less than 10,000 sq ft. on low-density residentially-zoned properties in the Sheridan Kalorama neighborhood.

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*

SKNC reserves the right to supplement the record and provide information pertaining to expert witnesses at a future date before the hearing.

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

SKNC anticipates presenting its case in chief in approximately 20 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?*

As will be addressed more fully at the hearing, SKNC is concerned that the Federation of State Medical Boards' ("FSMB") use of the Property will cause undue traffic, parking congestion and noise impacts for neighboring properties. Further, the SKNC witnesses will testify that granting of the requested special exception and variance relief will further unduly affect the Kalorama neighborhood due to an anticipated "domino" effect if other property-owners attempt to use their buildings for office uses in this residential neighborhood.

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

SKNC is a non-profit organization promoting the interests of the Kalorama neighborhood, within which the subject property is located. SKNC has participated in many BZA cases in the past.

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.)*

N/A – SKNC represents the interests of the entire Sheridan Kalorama community, including neighbors who live within 200 feet of the subject property.

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?*

The anticipated impacts of this application are wide-ranging. Environmental impacts could include traffic congestion caused by employees, visitors and guest to the Property. Additionally, noise pollution may be caused by FSMB employees and visitors.

The economic impacts include the possible decline in property value for surrounding residential properties due to quality-of-life impacts brought about by the non-residential use of the subject property. These impacts would be magnified as other similar non-residential uses follow precedent, thereby threatening the residential character of the community.

The social impacts include loss of enjoyment of neighboring properties due to the use of the subject property as a place of business.

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.*

SKNC reserves the right to supplement the record to include additional evidence on this matter, including methods of demonstrating matter-of-right, residential uses for the subject property.

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.*

SKNC seeks to participate in BZA cases that threaten to upset the delicate balance of residential uses, foreign chancery uses, and long-standing nonresidential uses in the Sheridan Kalorama neighborhood as is being proposed by the Applicant.

In conclusion, SKNC respectfully requests that the Board grant their request for party status in opposition. Thank you for your attention to this matter, and we look forward to advanced party status discussion to be scheduled in November.

Sincerely,

COZEN O'CONNOR



BY: MERIDITH H. MOLDENHAUER

CERTIFICATE OF SERVICE

I hereby certify that on November 14, 2017, I had served a copy of this Party Status request in opposition via e-mail, to the following:

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By: Meredith H. Moldenhauer