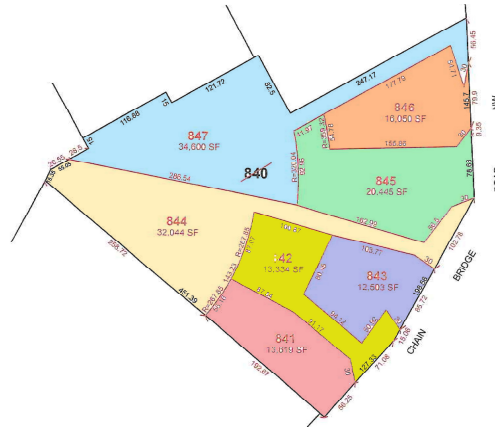


CHAIN BRIDGE ROAD/UNIVERSITY TERRACE PRESERVATION COMMITTEE, APPELLANT BZA APPEAL NO. 20221



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Chain Bridge Road/University
Terrace Preservation Committee

Olutoye Bello
Zoning Expert Witness
Bello Bello Associates, LLC

INTRODUCTION

ARTHUR WATSON, CO-CHAIR

CHAIN BRIDGE ROAD/UNIVERSITY TERRACE PRESERVATION COMMITTEE

- Adjacent Property Owner at 2828 Chain Bridge Road
- Preservation Committee is Neighborhood 501(c)(3)
- Represents More than Seventy (70) Households
- Dedicated to Protection and Preservation of Unique and Special Arboreal, Topographical and Landscaping Features in Addition to the Historic, Residential and Park-Like Character of Neighborhood
- Five Active Members Immediately Abut or Adjacent to Property
- Preservation Committee and Its Members Are “Aggrieved Party”
- Instrumental in 1999 Establishment of CBUT Overlay
- Successfully Opposed Proposed Theoretical Lot Development of Property in BZA Case No. 17309 (2007)
- Affirmed by D.C. Court of Appeals
- Committed to Working with Property Owner for Responsible and Thoughtful Development of Property

ZONING DETERMINATION LETTER

DISCLAIMER

- **The Zoning Administrator’s Disclaimer is clear, unambiguous and dispositive.**
 - **DISCLAIMER:** This letter is issued in reliance upon, and therefore limited to, the questions asked, and the documents submitted in support of the request for a determination. The determinations reached in this letter are made based on the information supplied, and the laws, regulations, and policy in effect as of the date of this letter. Changes in the applicable laws, regulations, or policy, or new information or evidence, may result in a different determination. This letter is **NOT** a “final writing”, as used in Section Y-302.5 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations), nor a final decision of the Zoning Administrator that may be appealed under Section Y-302.1 of the Zoning Regulations, but instead is an advisory statement of how the Zoning Administrator would rule on an application if reviewed as of the date of this letter based on the information submitted for the Zoning Administrator's review. Therefore this letter does **NOT** vest an application for zoning or other DCRA approval process (including any vesting provisions established under the Zoning Regulations unless specified otherwise therein), which may only occur as part of the review of an application submitted to DCRA.
- Zoning Determination Letter, Page 6 (“Disclaimer”) (Emphasis Added Highlighted).

ZONING DETERMINATION LETTER

DISCLAIMER

- Standard Disclaimer Since April 2018
- Expressly Conditional of Future Actions and Events
- NOT a Final Writing – Subtitle A - §302.5
- NOT a Final Appealable Decision – Subtitle A - §302.1
- “Advisory Statement”
- Applicable Only as of Date of Letter – No Vesting
- Based on Information Provided
- Future Subdivision Required
- Subtitle A - §301.3 Exemption from Record Lot Subdivision for Highway Plan Encumbered Property

LOT WIDTH

Definition of “Lot Width”

Lot Width: The distance between the side lot lines, measured along the building line; except that in the case of an irregularly shaped lot, the width of lot shall be the average distance between side lot lines. Where the building line is on a skew, the width of lot shall be the distance between side lot lines perpendicular to the axis of the lot taken where either side lot line intersects the building line.

Subtitle B-§ 100.2 (Emphasis added).

- Zoning Administrator and Property Owner Have Not Reviewed or Provided Any Required Average Lot Width Calculations

IRREGULARLY SHAPED LOTS

