

Lyle M. Blanchard., Esq.
LMB @ gdllaw.com

February 9, 2022

BY IZIS

Mr. Frederick L. Hill
Chairperson
Board of Zoning Adjustment
441 4th Street, N.W., Suite 210 – South
Washington, D.C. 20001


Re: Supplemental Documents in Opposition to BZA Application No. 20615
751 10th Street, SE,
Square 950, Lot 84 (“751 Property”)

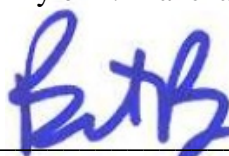
Dear Chairperson Hill and Members of the Board:

As you are aware this firm is counsel for Robert McCulloch, Jr. and Margaret McCulloch, the Party in Opposition owners of the nine-unit apartment building constructed in 1912 at 747-749 10th Street, SE (Square 950, Lot 53) (“749 Property”). This late filing pursuant to Section Y-103.13(g) is to add to the record a letter from the tenants of Apartment 2 of the 749 Property, Ms. Sadikshya Nepal and Mr. Matthew Constanti. This letter was filed just a minute or two after the 9:30 am deadline yesterday morning. In addition, we request the enclosed six (6) photos of sky views, four (4) from Apartment 1 and two (2) from basement Apartment A, be included in the record. Since it was not possible for the tenants to take the photos until after work yesterday or to file the letter yesterday morning, we request that these exhibits be entered into evidence. The photos and letter modestly supplement the Party in Opposition’s position and, as such, we request that the Board consider and afford them the weight that they deserve and for purposes of cross-examining the Applicant’s witnesses. Thus, we contend that these exhibits would not unreasonably prejudice any party.

Sincerely,

GREENSTEIN DELORME & LUCHS, P.C.

By: 
Lyle M. Blanchard

By: 
John Patrick Brown, Jr.



GREENSTEIN DELORME & LUCHS, P.C.

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Page 2 of 3

Enclosures

cc: ANC 6B, 6B@anc.dc.gov
Kirsten Oldenburg ANC 6B04, 6b04@anc.dc.gov
Karen Thomas, OP, karen.thomas@dc.gov
Anna Chamberlin, DDOT, anna.chamberlin@dc.gov
Martin Sullivan, Esq., msullivan@sullivanbarros.com

CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2022, a copy of the Supplemental Documents for the party in Opposition filing was served electronically on the following:

ANC 6B

6B@anc.dc.gov

Commissioner Kirsten Oldenburg ANC 6B04

6b04@anc.dc.gov

Ms. Karen Thomas

D.C. Office of Planning

karen.thomas@dc.gov

Ms. Anna Chamberlin, AICP

D.C. Department of Transportation

anna.chamberlin@dc.gov

Martin Sullivan, Esq.

msullivan@sullivanbarros.com



Lyle M. Blanchard



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



FORM 153 – REQUEST TO ACCEPT AN UNTIMELY FILING OR TO REOPEN THE RECORD

THIS FORM IS FOR NON-PARTIES ONLY. IF YOU ARE A PARTY, PLEASE FILE A FORM 150 – MOTION.

Before completing this form, please review the instructions on the reverse side. Print or type all information unless otherwise indicated. All information must be completely filled out.

CASE NO.:

20615

I, **Lyle M. Blanchard** hereby request the following relief:

Accept an untimely filing of **Supplemental Exhibits to Request for Party Status**

To reopen the record to accept _____


Points and Authorities:

Accept an untimely filing: Please state each and every reason you believe the Zoning Commission (ZC) or Board of Zoning Adjustment (BZA) should grant your request to accept an untimely filing, including relevant references to the Zoning Regulations or Map. If you require more space, please use a separate piece of paper.

Reopen the Record: Please state each and every reason you believe the ZC or BZA should grant your request to reopen the record, including relevant references to the Zoning Regulations or Map. **The document(s) that you are requesting the record to be reopened for must be submitted separately from this form (see instructions). No substantive information is to be included on this form.**

See attached letter.

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 application/petition 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)

Date:	02/09/2022	Signature:	
Name:	Lyle M. Blanchard		
Address:	801 17th Street, N.W., Suite 1000, Washington, D.C. 20006		
Phone No(s).:	(202) 452-1400	E-Mail:	lmb@gdllaw.com

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

To: ANC6B/BZA/HPRB

From: Sadikshya Nepal and Matthew Constanti

Re: BZA Case #20615 – 751 10 St SE Addition and renovation Opposition Letter

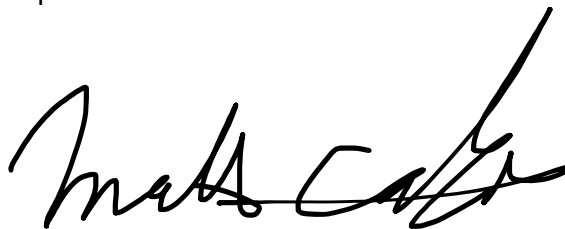
To Whom It May Concern,

Our names are Sadikshya Nepal and Matthew Constanti and we are the tenants at 747 10th ST SE in Apartment 2. The enjoyment of our backyard space would be severely affected by the construction of the carriage house as we like to spend a lot of time (weather permitting) outdoors.

Matt and I have always valued enjoyable porch and backyard space in our rental search. When we saw the back porch in the 747 building, we immediately knew this rental property was the right place for us. We like to spend as much time as possible eating dinners, entertaining friends, hanging out, and growing flowers and vegetable in our backyard. Our cat Monroe likes to wander around the porch getting sunlight and watching birds in the spring and summer. She deliberately picks the sunniest spots in the porch to get some sun in the summer and we enjoy our bright backyard space. It makes our quality of living in the city much better. Our backdoor to the kitchen is always open when I we are cooking.

A carriage house that comes close to the porch would decrease the amount of sunlight we receive, and instead of seeing the sky, we would be facing brick, as if living in an alley. As we like to entertain friends and family during warm months, a building that close to the yard would also feel claustrophobic and an invasion of our privacy. There are not many rental properties in D.C. that offer the vibrancy that 747 building provides. The neighbors are like a community, and we often like to hang out together in the yard. The backyard has felt like an open sanctuary during stressful covid times and sometime our only access to the outdoors. Keeping it intact would be gift for our mental sanctity. So, I strongly urge to oppose the proposed addition and zoning relief request.

Regards,
Matthew Constanti and Sadikshya Nepal

A handwritten signature in black ink that reads "Sadikshya Nepal". The signature is written in a cursive, somewhat stylized font. Below the signature, there are two small dots.A handwritten signature in black ink that reads "Matthew Constanti". The signature is written in a cursive, somewhat stylized font.



Apt. 1 bedroom



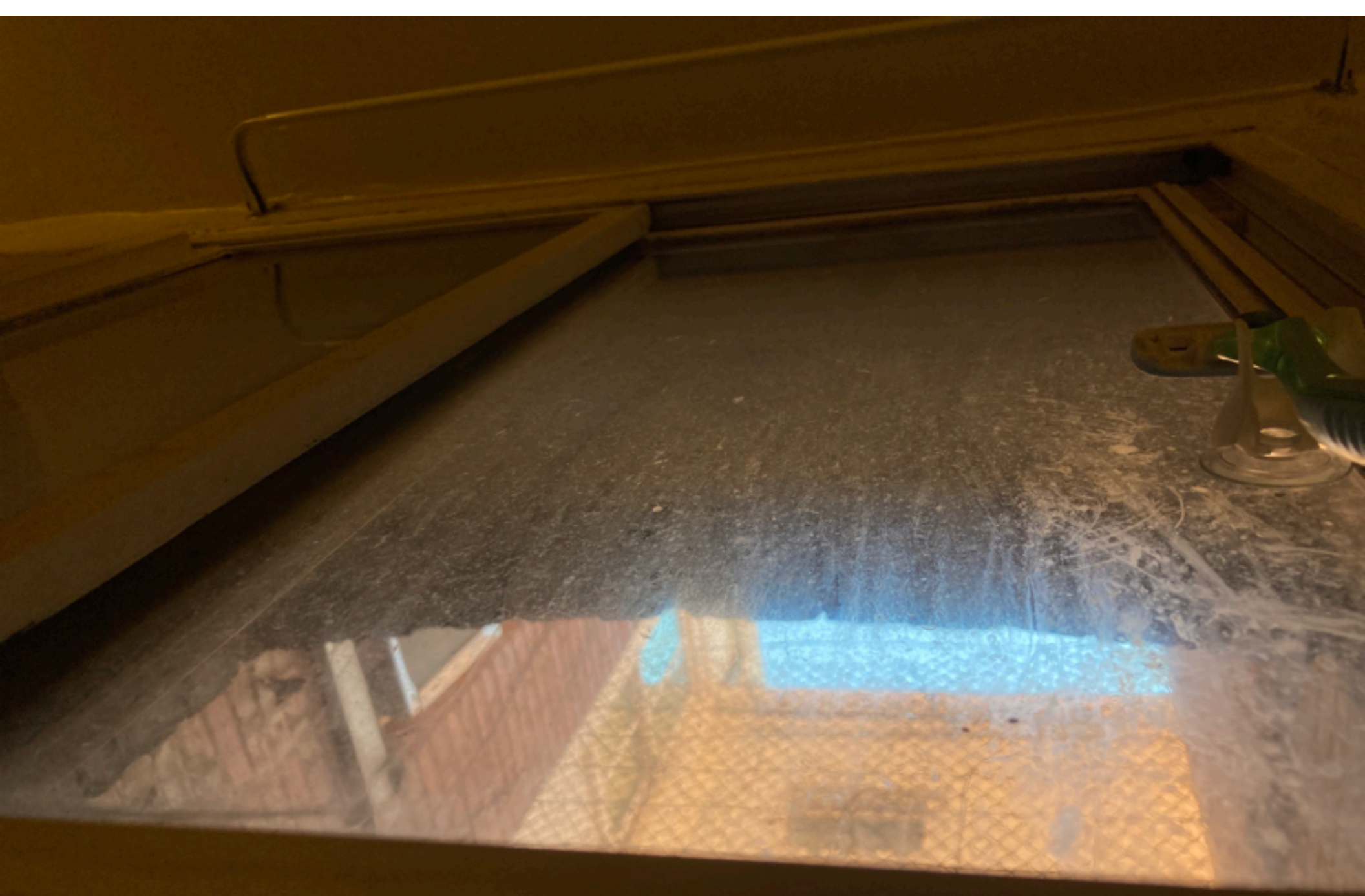
#1 bedroom window



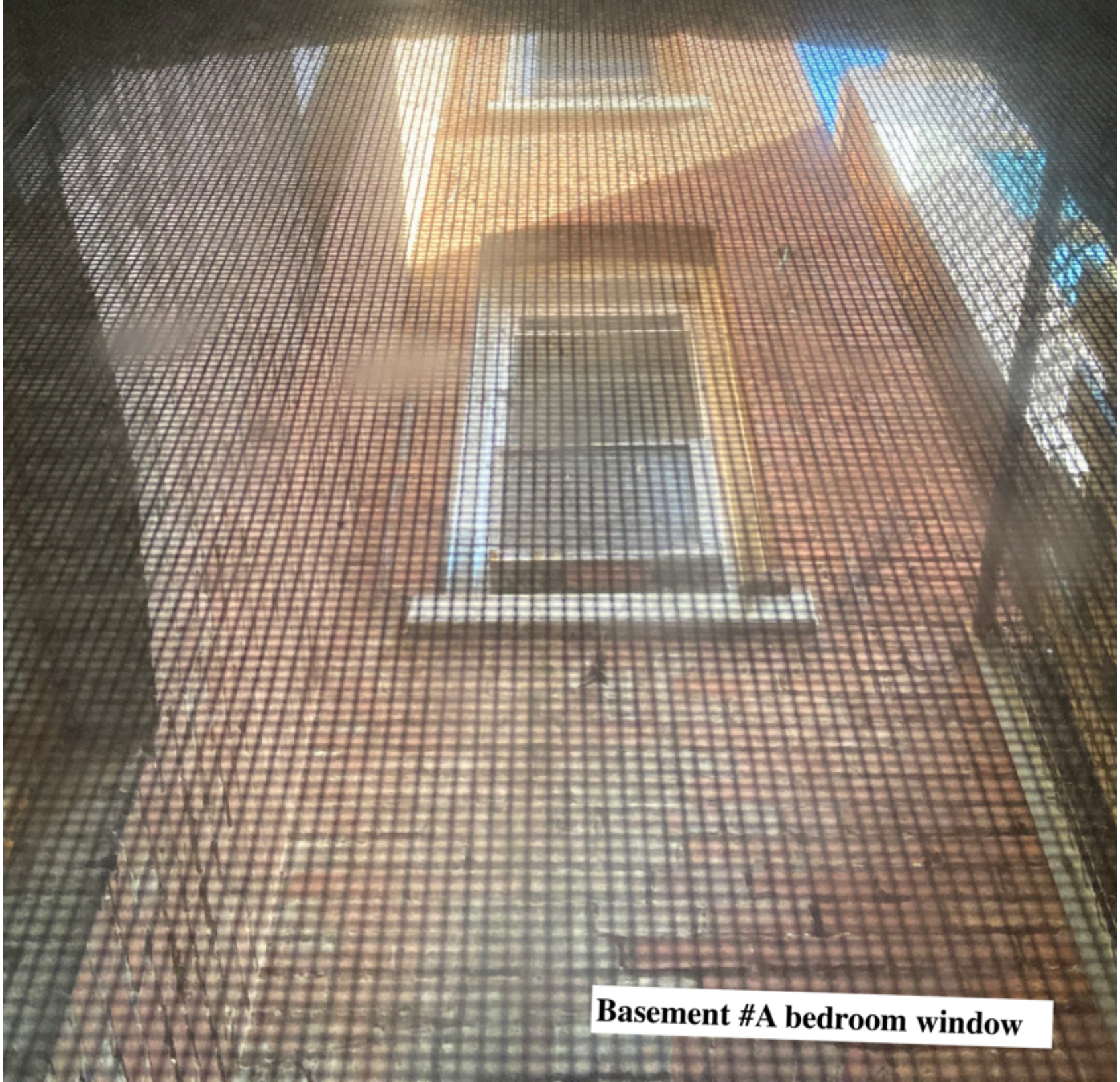
#1 den window



#1 deck view



Basement #A bathroom window



Basement #A bedroom window