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March 16, 2022

Mr. Frederick Hill
Chairperson
Board of Zoning Adjustment
441 4th Street NW, Suite 200S
Washington, DC 20001

**Re: Case No. 20661 – Party Status Request
of Sarah Horsey and Alfred R. Barr**

Dear Chairperson Hill and Members of the Board:

This letter is in brief reply to the March 9, 2022 letter filed by the Applicants in this case (Ex. 39) in opposition to the party status request of my clients, Sarah Horsey and Alfred R. Barr (Ex. 24). The Barrs are husband and wife and live at 4510 Davenport Street, immediately across an alley from the Applicants' property. The Board should reject the opposition and grant party status to the Barrs at the outset of the hearing on April 6, 2022.

First, the request is for party status for the Barrs, no one else. Ms. Kathleen Mitchell is listed on the party status application only as a witness, not as an applicant for party status. Hence, the arguments of the Applicants against party status for Ms. Mitchell are irrelevant here.

Second, while the Applicants believe that the Barrs will experience no adverse impact from Board approval of their special exception, that is their opinion on a contested issue addressed to the merits. The purpose of the party status application is not to present a requestors' full opposition case; it is to assist the Board in identifying whether the party status applicant has alleged interests that, if demonstrated at the hearing, will be more significantly, distinctly and uniquely affected in character or kind by the grant of the special exception than that of other persons in the general public. Abutting or confronting property owners, and others whose property is within 200 feet of the subject property, are ordinarily deemed to qualify for party status, providing their participation as parties would not be merely duplicative of others given party status. The Barrs' allegations in their Party Status Application plainly meet this test, and, at present, their application is not duplicative of any other party status request.

Sincerely,



David W. Brown
Attorney for the Barrs

Board of Zoning Adjustment
District of Columbia
CASE NO.20661
EXHIBIT NO.43

AFFIDAVIT OF SERVICE

The foregoing letter has been served this 16th day of March, 2022, by electronic mail on the Applicant, Valerie and Nicholas Alten, 4511 Chesapeake Street, N.W., Washington, DC 20016, nick@betterspace.com; ANC3E Advisory Neighborhood Commission, 3E@ANC.dc.gov; Sherry Cohen, Administrative Assistant, ANC3E, sherrycohen@gmail.com; DC Office of Planning, 1100 4th Street, S.W., Suite 650 East, Washington, DC 20004; and Joel Lawson, DC Office of Planning, 1100 4th Street, S.W., Suite 650 East, Washington, DC 20004.



David W. Brown