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To: [DCOZ - BZA Submissions \(DCOZ\)](#); [DCOZ - ZC Submissions \(DCOZ\)](#); [Young, Paul \(DCOZ\)](#)
Subject: BZA case 20661; hearing date Wed 4/6/22 --my witness testimony and 4 photos to display during testimony
Date: Monday, April 4, 2022 9:26:02 PM

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Hello BZA officials/administrator,

I am not sure exactly to whom I should send this, so I apologize if I have unnecessarily copied anyone.

I have registered as an opponent (email confirmation at 8:42 PM 4/4/22) wishing to testify in BZA case 20661. I was listed as a witness in Exhibit 24, but I understand I will not be called as a witness. I submitted a more detailed letter in opposition, Exhibit 56, on 3/28/22.

I am attaching 4 color photos I would like shown during my sworn testimony.

my testimony is below, with **Show photo [] and @ how long to display it** where the photo should be shown. thank you for your assistance.

Hello, I am Katherine Mitchell, owner and resident of 4511 Davenport St, a similarly undersized lot with only the Barrs' house between the Altens' house and mine.

While there are some two-story Accessory Structures in the neighborhood, to my knowledge, none needed a special exception.

Revised plans include a 600 ft² garage and a 2nd floor 480 ft² ADU with an additional outdoor balcony/porch. Mr. Alten has HOP #155455 for a "HOME IMPROVEMENT CONTRACTOR (OFFICE USE ONLY)". That means a business office, not a warehouse/loading dock for tools and materials. The applicant and ANC3E characterized concerns about this home occupation use as irrelevant, but they are not.

PLEASE SHOW "ALTEN GARAGE NORTH & WEST VEGETATION" for @ 10 seconds

PLEASE SHOW "ALTEN--SCAFFOLDING, CONSTRUCTION MATERIALS, SINK, ETC AT GARAGE...." for @ 10 seconds

PLEASE SHOW "ALTEN YARD--BIG CORRUGATED PIPE-DOORS

Board of Zoning Adjustment
District of Columbia
CASE NO.20661
EXHIBIT NO.68

CONSTRUCTION STUFF" for @ 10 seconds

These photographs, taken 2 months ago, clearly show he has ignored ***Subtitle U Section 251.3 (f): No operations related to the home occupation shall be conducted outside a structure, nor shall any storage or other unsightly condition be permitted outside a structure.***

Excerpting from Exhibit 48 by a neighbor well-within the 200' radius: "...the use of the alley area for loading and unloading of material and actual construction activities...at least 2-3 times per week, I would encounter Mr. Alten's crews blocking 2 points of access through the alley ... as they load/unload material....As a result, I regularly had to reverse my car...over the years, there is frequently material and debris, including wood shards, screws and metal scraps left in the area.... Kids play in that alley ... I don't want dangerous debris there....". end excerpted quote.

PLEASE SHOW "ALTEN LOADING CARGO VAN FEB 22" for remainder of my testimony.

I also often use the alleys to access my home or walk my dogs. While loading his van, Mr. Alten dismissed my request to move his van closer to one side of the alley, so I too had to back out of the alley and blindly across a sidewalk to continue to my home.

It is disingenuous to deny this structure is oversized so he can expand his nonconforming use. **From page 4, BZA file Exhibit 52, Office of Planning Report:**

Subtitle E § 5201.6 This section shall not be used to permit the introduction or expansion of a nonconforming use...as a special exception.

Applicant's response omitted his clearly nonconforming use as a warehouse for storage/loading of construction materials, instead saying: The continued use of the property as a single-household dwelling is permitted in the zone....

It is clear from numerous opposition letters and photos that Mr. Alten uses his home office permit for a nonconforming use; it cannot be allowable for him to build an oversized accessory structure, or any structure, to expand a nonconforming use that affects our safe enjoyment of our neighborhood.

Thank you for taking my views into account as you consider the special exception request. I urge you to deny it.

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