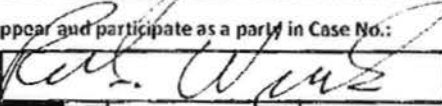

BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

FORM 140 - PARTY STATUS REQUEST

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.

PLEASE NOTE: YOU ARE NOT REQUIRED TO COMPLETE THIS FORM IF YOU SIMPLY WISH TO TESTIFY AT THE HEARING. COMPLETE THIS FORM ONLY IF YOU WISH TO BE A PARTY IN THIS CASE.
(Please see reverse side for more information about this distinction.)

Pursuant to 11 DCMR §§ 3022.3 or 3106.2, a request is hereby made, the details of which are as follows:

Name:	Erie Condominium Association/Richard Wiedis, President		
Address:	2351 Champlain St., NW		
Phone No(s):	202 841 6735	E Mail:	wiedis@aol.com
I hereby request to appear and participate as a party in Case No.:		18330	
Signature:		Date:	03/16/12
Will you appear as a(n)	☐ Proponent ☒ Opponent	Will you appear through legal counsel?	☒ Yes ☐ No

If yes, please enter the name and address of such legal counsel.

Name:	Laurie Horvitz, Esq.		
Address:	4520 East West Highway, Suite 700, Bethesda, Md., 20814		
Phone No(s):	301 961 6429	E Mail:	laurie@horvitzlegal.com

PARTY WITNESS INFORMATION:

On a separate piece of paper, please provide the following witness information:

1. A list of witnesses who will testify on the party's behalf;
2. A summary of the testimony of each witness (Zoning Commission only);
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 (Zoning Commission only); and
4. The total amount of time being requested to present your case (Zoning Commission only).

PARTY STATUS CRITERIA:

Please answer all of the following questions referencing why the above entity should be granted party status:

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

Except for the applicant, appellant or the ANC, to participate as a party in a proceeding before the Commission/Board, any affected person shall file with the Zoning Commission or Board of Zoning Adjustment, this Form 140 not less than fourteen (14) days prior to the date set for the hearing.

RECEIVED
OFFICE OF ZONING
2 MAR 19 PM 4:47

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18330
EXHIBIT NO. 29

Re: BZA Case No. 18330
Attachment to Party Status Request
of the Erie Condominium Association

Party Witness Information

1. List of Witnesses and summary of testimony:

- A. Rouzy Vafaie
 Jess Rayburn
 David Rowland
 Tim Medina
 Angie Griswell**

The above are all members of the Erie Condominium Association and owners of property in the Erie (The Association Members). The Applicant is Federal Capital Partners (the Applicant). The Association Members will testify about the proximity of the Erie to the proposed property. They will testify to the adverse effect of granting the special exception and variance relief on the adjacent property and provide testimony to demonstrate how the neighbors will be adversely affected and aggrieved if the action requested of the BZA is approved. Specifically, Mr. Vafaie will testify about the penthouse structure including livable space that has windows that face the Applicant's project. The Applicant's project will cause shadows that will interfere with the light coming into Mr. Vafaie's property and will block his view. Other members of the Association who own lower level units have patios on the ground level. If the Applicant's request for relief is granted, the new property will cast shadows and interfere with the light coming onto the patios of the lower level unit owners.

- B. Richard Wiedis**

Richard Wiedis is the President of the Erie Condominium Association. The Association is seeking party status in case 18330. Mr. Wiedis will testify that he is the owner and occupant of Unit P1 at 2351 Champlain Street, which is directly next door to the Applicant's proposed project. Mr. Wiedis will testify that the relief sought in the Application would create immediate and irreparable adverse effects for the Association Members. He will testify that the Applicant does not need the relief requested and has not met the zoning standards for such relief. Mr. Wiedis will also testify about inaccurate statements by the Applicant to the ANC and the BZA. Finally, he will testify about threats that were made by the Applicant if neighbors opposed the zoning relief.

- C. Dennis James**

Mr. James will testify about proceedings before the ANC.

D. Architect Expert

An architect will testify how the Applicant's project can be built without the special exception and variance relief. A resume will be provided.

Total time requested: 1 hour

Party Status Criteria

1. How will the property owner be affected by the proposed action?

If the Applicant's request for special exception and variance relief to build above 40 feet is granted, then owners of Erie units will be adversely affected. The proposed project would create walls blocking the rooftop terraces from existing views, light and air, including a wall at or near the property line, a higher wall a few feet away and then a third wall associated with the penthouse structures. Moreover, persons on top of the Applicant's building could peer onto Erie's private rooftop decks. The additional height of the proposed project would also cast shadows on the patios of several of the Erie's lower units. The value of the entire Erie building would decline as more than half of the units would be directly affected. The Applicant's building would significantly diminish usage and enjoyment of the rooftop spaces on the Erie.

2. What legal interest does the person have in the property?

The Erie Association is the Condominium Association of the building that is directly adjacent to and abutting the Applicant's proposed project.

3. What is the distance between the applicant's property and the property the property that is subject to the application before the Board?

The Erie Association is the only building that is directly adjacent to the proposed project and will actually touch the proposed project.

4. What are the environmental, economic or social impacts that are likely to affect the person and/or persons' property if the action requested of the Board is approved or denied?

If the Applicant's request to build above 40 feet is granted, then the owners of Erie units will be adversely affected. The proposed project would create walls blocking the rooftop terraces from existing views, light and air, including a wall at or near the property line, a higher wall a few feet away and then a third wall associated with the penthouse structures. Moreover, persons on top of the Applicant's building could peer onto Erie's private rooftop decks. The additional height of the proposed project would also cast shadows on the patios of several of the Erie's lower units.

The Applicant's building would significantly diminish usage and enjoyment of the rooftop spaces on the Erie.

- 5. Describe any other relevant matters that demonstrate how the person will likely be affected and aggrieved if the action requested of the Board is approved or denied?**

In addition to the matters addressed in Answer No. 4, the value of the entire Erie building would decline as more than half of the units would be directly affected.

- 6. Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character and kind by the proposed zoning action than that of other persons in the general public?**

The Erie Condominium is directly adjacent to the proposed project and will actually touch the proposed project. Also, not only will granting the requested zoning relief directly diminish the use, enjoyment and general welfare of the Erie residents, it will cause substantial economic harm to each of the Erie's unit owners.