

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Board of Zoning Adjustment

RECEIVED
D.C. OFFICE OF ZONING



2012 APR -5 PM 2: 52
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APPLICATION NUMBER 18372
TO WHOM IT MAY CONCERN

Notice is hereby given that the Board of Zoning Adjustment will hold a public hearing at 441 4th Street, N W., Suite 220 South, Washington, D.C , 20001 on Tuesday, June 26, 2012, on the following application

Application of 2321 4th Street LLC, on behalf of H Street Community Development Corporation, pursuant to 11 DCMR § 3103.2, for a variance from the lot occupancy requirements under section 772, a variance from the off-street parking requirements under subsection 2101.1, a variances from the loading requirements under subsection 2201.1, and a variance from the loading berth minimum vertical clearance height requirements under subsection 2201.6, to allow the construction of a new residential apartment building with ground floor retail and service uses in the C-3-A District at premises 2321 4th Street, N.E (Square 3629, Lot 808).

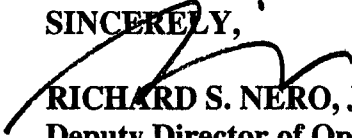
At the public hearing, all interested persons will be given an opportunity to express their views. However, in lieu of appearing at the hearing you may also submit written views about this case. All written views should be sent to the address below, and must be received by the Board before the hearing on the case is concluded. Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public.

Persons seeking party status shall file with the Board, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Request form, a copy of which is attached hereto. This form may also be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning's website at: www.dcoz.dc.gov. This application is located within the boundaries of Advisory Neighborhood Commission 5C. This application will be heard between 1:00 p.m. and 6:00 p.m. If you have any questions about this application, please call the Office of Zoning on (202) 727-6311, or visit the office at 441 4th Street, N.W , Suite 200 South, Washington, D.C. 20001. Please refer to the application number when you write or call about this case.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18372
EXHIBIT NO. 23

SINCERELY,


RICHARD S. NERO, JR.
Deputy Director of Operations
Office of Zoning

441 4th Street, N W , Suite 200/210-S, Washington, D C 20001

Telephone (202) 727-6311

Facsimile (202) 727-6072

E-Mail dcoz@dc.gov

Web Site www.dcoz.dc.gov

Board of Zoning Adjustment
District of Columbia
CASE NO.18372
EXHIBIT NO.23



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:			
Address:			
Phone No(s):		E Mail:	
I hereby request to appear and participate as a party in Case No.:		18372	
Signature:		Date:	
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:			
Address:			
Phone No(s):		E Mail:	

WITNESS INFORMATION:

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

1. A list of witnesses who will testify on the person'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?
2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)
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.)
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?
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.
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.

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.

Person vs. Party in a Proceeding

Any person or representative of an organization may provide written and/or oral testimony at a public hearing. A person who desires to participate as a party in a proceeding, however, must make a request and must comply with the provisions on this form. A party has the right to cross-examine witnesses, submit proposed findings of fact and conclusions of law, receive a copy of the written decision of the Zoning Commission or Board of Zoning Adjustment, submit a Motion for Reconsideration or Rehearing, and exercise any other rights of parties as specified in the Zoning Regulations. Approval of party status is contingent upon the requester clearly demonstrating that his or her interest will be more significantly, distinctively, or uniquely affected by the proposed zoning action than that of other persons.

INSTRUCTIONS

Any request for party status as provided in the District of Columbia Zoning Regulations (11 DCMR Zoning) that is not completed in accordance with the following instructions shall not be accepted.

1. All applications shall be made pursuant to this form. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form (drawings and plans may be no larger than 11" x 17").
2. Present this form and supporting documents to the Office of Zoning at 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001, not less than fourteen (14) days prior to the date set for the hearing.



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete Form 155 - Request for Reasonable Accommodation.

District of Columbia Office of Zoning
441 4th Street, N.W., Ste. 200 S, Washington, D.C. 20001
(202) 727 6311 * (202) 727 6072 fax * www.dcoz.dc.gov * dcoz@dc.gov

GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF ZONING

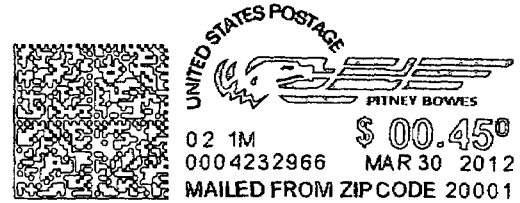
441 4th STREET, N W SUITE 200-S/210-S

WASHINGTON, D C 20001

OFFICIAL BUSINESS
PENALTY FOR MISUSE

Adel

~~ROOSEVELT STEWART
321 BRYANT ST NE
WASHINGTON, DC 20002-1121~~

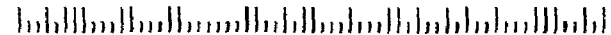


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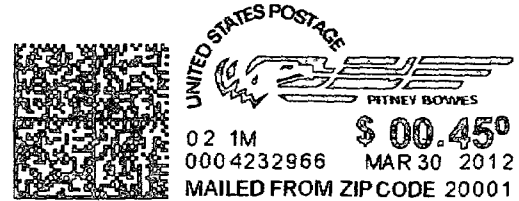


GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF ZONING

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WASHINGTON, D C 20001

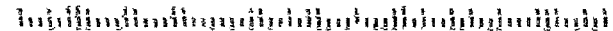
OFFICIAL BUSINESS
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RHODE ISLAND AVENUE 400 LLC
EASTERN PETROLEUM CORP
1915 LINCOLN DR
ANNAPOLIS, MD 21401-4118

*X 212 MDE 1 111C 01 04/02/12
FORWARD TIME EXP RTN TO SEND
EASTERN PETROLEUM CORPORATION
PO BOX 6516
ANNAPOLIS MD 21401-0516
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20001@2714
21 4018+144 0516



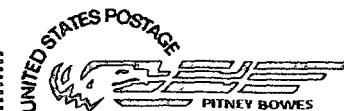
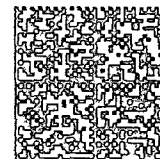
GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF ZONING

441 4th STREET, N W SUITE 200-S/210-S

WASHINGTON, D C 20001

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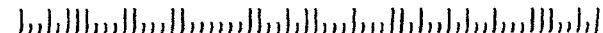
KRISTINA M PETERSON
TODD M PETERSON
330 RHODE ISLAND AVE NE
WASHINGTON, DC 20002-6849

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GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF ZONING

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WASHINGTON, D C 20001

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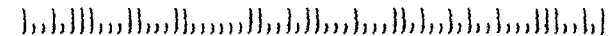
KLEON D FOKIDES
364 NW 43RD ST
POMPAÑO BEACH, FL 33064-2529

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GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF ZONING

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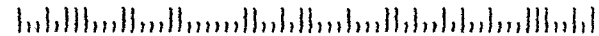


US BANK NATIONAL ASSOCIATION TRUSTEE
701 CORPORATE CENTER DR
RALEIGH, NC 27607-5084

X 276 NFE 1 C10F 00 04/08/12
FORWARD TIME EXP RTN TO SEND
US BANK NATIONAL ASSOC
PO BOX 24649
WEST PALM BCH FL 33416-4649

RETURN TO SENDER

27607-5084 2012



GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF ZONING

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WASHINGTON, D C 20001

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TRACY DEVRIES

26 HAWTHORNE CT NE

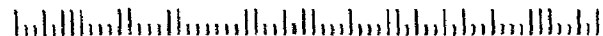
WASHINGTON, DC 20017-1047

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GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF ZONING

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UNIT 103
330 RHODE ISLAND AVE NE
WASHINGTON, DC 20002-6849

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