



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:	BENITA E. PYNDELL		
Address:	4340 DOUGLAS ST., N.E. WASH., DC 20019		
Phone No(s):	202-396-7907	E Mail:	BPYNDELL@aol.com
I hereby request to appear and participate as a party in Case No.:	18381		
Signature:	Benita E. Pyndell	Date:	May 30, 2012
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.

BOARD
District of Columbia

CASE NO.

EXHIBIT NO.

18381
24

CASE NO.18381
EXHIBIT NO.24

D.C. OFFICE OF ZONING
2012 JUN 5 PM 2:02
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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

BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA**PARTY STATUS CRITERIA**

1. If approved by the zoning board, I will no longer be able to have access to my backyard and garage. In fact, it would be impossible to enter my backyard or my garage. This common driveway has always been shared with the owners who lived at 4336 Douglas Street and my family who resided at 4340 Douglas Street. From this driveway, I have easy access to my backyard and my garage. This *state of easement* has been in existence between the two homeowners for over 70 years.
2. My brother, Benjamin Pyndell, and I, Benita Pyndell, are the owners of said property, inherited from our mother in 1968, when she passed. I have been the sole occupant of this property for approximately 45 years.
3. As seen in the pictures provided, the distance between the two properties is approximately 9 feet. The driveway easily accommodates a large car or truck.
4. If this request is approved, there will be a decrease and/or a reduction in the market value of my property. This negative impact on the value of my property would hinder or decrease the asking price for my home, if or when I decide to sell in the future.
5. Should this action be approved, it would lessen and limit the use and enjoyment of my property. It would affect the lighting and windows on that side of my home, not to mention, again, no access to the driveway, my garage, or my backyard. This would intimately affect the use of my property on a daily basis.
6. The proposed zoning action, if approved, would greatly affect the neighborhood. Douglas Street, along with Eastland Gardens, has always been a street of detached homes for African Americans which was made available by and named after Frederick Douglas. That is why Douglas Street exists between Pond and Quarles Streets. Washington, DC is laid out alphabetically and numerically. Even though I was born at 4335 Douglas Street, and Kenilworth Elementary School was a block away, it was for Caucasians. I had to cross Kenilworth Avenue and the railroad tracks to attend Carver Elementary School. I am now the oldest living resident on Douglas Street. It would be an affront and an injustice to me, my family, my ancestors, and Frederick Douglas if this action is approved.

PHOTOGRAPHS OF PROPERTY

#1



#2



#3



#4

My house, 4340 Douglas Street, is on the right. The driveway has always been shared by the owners of 4336 Douglas Street and 4340 Douglas Street for over 70 years. Picture #3 shows the foundation slab for the house that used to be at 4336 Douglas Street. Adjacent to that vacant lot is another vacant lot. These lots have been vacant for at least 20 years. As depicted in these pictures, I need access to the driveway to get into my garage and my backyard.