



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:	Jacob Russin		
Address:	328 10th Street NE (Square 938, Lot 45) 20002		
Phone No(s).:	202-544-1094	E Mail:	jacob.russin@gmail.com
I hereby request to appear and participate as a party in Case No.:		18463	
Signature:			Date: 24 November 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:	BOARD OF ZONING ADJUSTMENT District of Columbia		
Address:	CASE NO. 18463		
Phone No(s).:	E Mail:	EXHIBIT NO. 24	

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?
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.

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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.

Case No. 18463
 Exhibit No. 24

Separate Page to Form 140

In Re: Application of CAS Riegler for 901 D street NE,

Application No. / BZA Case No.. 18463

Person Requesting Party Status: Jacob Russin

Date: 24 November 2012

Introduction: This Form 140 is submitted to urge the Board of Zoning Adjustment that if the application continues to request variances from the rear yard (section 404) or court (section 406) requirements, those variances should be denied.

Party Witness Information

1. Jacob Russin, not an expert witness. Intends to speak only if the section 404 or 406 variances are still sought by the applicant.

2., 3., & 4. Not applicable.

Party Status Criteria

1. The property to be developed is immediately across the rear alley from my home. The variance to the rear yard and court requirements would affect my property.

2. I own and occupy the house at 328 10th st NE.

3. My property and the property that is the subject of the application are separated by only 10 feet, the width of the alley.

4. Failure to provide the rear yard required by section 404, or construction of a court not meeting the dimensions in section 406, could block light and natural ventilation, overlook the rear of my house, and make excessive noise. It is difficult to describe the particular effects because the plans provided by developers provided are vague and changing about the uses of the rear area of the lot, and because in the ANC meeting I attended, the developers did not explain any need the section 404 and 406 variances (see next section explaining that the developers feel they do not need these variances).

5. Also relevant is that the an employee of the developers, Robin Bettarel, has informed me by email on November 12th that "we will not be requesting variances for rear yard or court. The application needs to be updated". The BZA website information as of the date of this letter, however, did not show such an update. I understand that such an update can take place later, but I could not wait because of the deadline for this form.

6. My interests would be more distinctively and significantly affected by these variances than those of the general public. The general public, and the zoning and historic review process, naturally focus on the street aspects, whereas I view the lot from the other side. Allowing section 404 or 406 variances for this project would be an open invitation to the developers to disregard any consideration for their neighbors across the alley.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



OCT 05 2012

APPLICATION NUMBER 18463
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, December 11, 2012, on the following application.

Application of CAS Riegler Real Estate Development, pursuant to 11 DCMR § 3103.2, for variances from the lot area (section 401), rear yard (section 404) and court (section 406) requirements to allow the conversion of and addition to an existing building into an apartment house in the R-4 District at premises 901 D Street, N.E (Square 938, Lot 809)

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.** If you are unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at dcoz@dc.gov or at (202) 727-6311.

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 may be downloaded from the Office of Zoning's website at: <http://dcoz.dc.gov/services/app.shtm>. This form may also be obtained from the Office of Zoning at the address stated. This application is located within the boundaries of Advisory Neighborhood Commission 6A. This application will be heard between 9:30 a.m. and 12:00 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.

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