



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



FORM 140 - PARTY STATUS REQUEST

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:	Joseph Brinker		
Address:	1830 18th Street, NW, Unit B, Washington, DC 20009		
Phone No(s):	646-467-1777	E Mail:	joebrinker@yahoo.com
			Application Number 18494
Signature:			Date:
			January 3, 2012
Will you appear as a(n)	☐	Will you appear through legal counsel?	☒

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

Name:			
Address:			
Phone No(s):		E Mail:	

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.

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 OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18494

EXHIBIT NO. 32

Board of Zoning Adjustment
District of Columbia
CASE NO. 18494
EXHIBIT NO. 32

Attachment to Form 140 – Party Status Request for Joseph Brinker
Application Number 18494, Application of Lauriol Properties LLC Cactus Cantina
Hearing Date: January 29, 2013

Party Witness Information

1. A list of witnesses who will testify on the party's behalf: Joseph Brinker (self)
2. A summary of the testimony of each witness:
 - a. The special exemption to allow the continued use of an accessory parking lot under section 214, in the R-5-B District at premises 1780-1782 T Street, NW, should not be allowed. It creates a safety hazard at the intersection of T and 18th Streets as vehicles lining up to use the lot regularly back up and block the intersection. This regular backup also directly creates an exceptional nuisance for the neighborhood, as drivers are constantly honking at those waiting to park who block both T and 18th Streets. The parking lot also indirectly creates an exceptional nuisance for the neighborhood by contributing to large crowds from outside the neighborhood, particularly in the summer time, who drive into the neighborhood attracted by the valet parking. For approximately six months of the year (May through October), Lauriol Plaza does not adequately control these crowds, despite a requirement to do so, with large, loud groups gathered at the entrance and spilling onto the sidewalk as they wait for tables.
3. Expert Witnesses: None
4. Total amount of time being requested to present your case: 15 minutes

Party Status Criteria

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?
 - a. Granting a special exception for continued use of the parking lot in question creates a safety hazard at the intersection of 18th and T Streets with backups of cars waiting to park in the over-crowded lot. Frustrated drivers often drive into oncoming traffic to get around the backups, and the backups also block cross walks. The intersection does not appear to be sufficient to accommodate such demand. The frustrated drivers in the backups also create a noise nuisance by regularly honking their horns in frustration.
2. What legal interest does the person have in the property? Owner
3. What is the distance between the person's property and the property that is the subject of the application before the Commission/Board?

- a. It is approximately 200ft to the address of the parking lot on 1782 T Street. The property is also approximately 100ft across the street from the entrance to the Lauriol Plaza, the entrance of the restaurant to which the parking lot belongs. The address of Lauriol Plaza is 1835 18th Street. The property of the party is at 1830 18th Street.
4. What are the environmental, economic, or social impacts that are likely to affect the person and/or person's property if the action request is approved or denied?
 - a. The noise and congestion problem with Lauriol Plaza grows yearly. What was once a neighborhood establishment, is now a large restaurant destination for the city that exceeds the neighborhood environment in which it operates. The parking lot contributes to this problem by attracting large numbers of patrons to drive to the restaurant from far outside the neighborhood, instead of walking, biking, taking a taxi or using public transport. Over time, this noise and congestion could scare potential property buyers away, which could negatively impact property values.
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.
 - a. The main problems are safety at the intersection of T and 18th Streets and serious noise problems in the summer months. Both are stated above.
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.
 - a. The party lives approximately 100 feet across from the entrance of Lauriol Plaza and approximately 150 feet from the intersection that is regularly blocked by cars backed up to use the parking lot in question. As such the party, regularly has to maneuver around vehicles blocking the intersection and the cross walk when attempting to cross the street, and the party regularly has to endure undue noise for a residential neighborhood caused honking and large crowd noise.