



FORM 140 - PARTY STATUS REQUEST



Before completing this form, please review the instructions on the reverse side.

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.)

NAME: Last Leone	First Mark	Middle I. P
ADDRESS: Street 5057 Overlook Rd., NW	Apt. # (if any)	City Washington
	State DC	Zip Code 20006
Phone No. (202) 362-4088	Fax No.	E-Mail mleone@umd.edu

I hereby request to appear and participate as a party.

Signature

Date
4/17/13

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: Last BOARD OF ZONING ADJUSTMENT	First	Middle I.
ADDRESS: Street District of Columbia	Ste. # (if any)	City
CASE NO. 18543	State DC	Zip Code 20006
Phone No. EXHIBIT NO. 26	Fax No.	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:

On a separate piece of paper, 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 appeal or application before the Commission/Board? (Preferably no farther than 200ft.)
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.

CASE NO. 18543
EXHIBIT NO. 26

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, 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 for action 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

Form 140-Party Status Request

Case Number 18543

Party Witness Information

1. Mark Leone
2. _
3. _
4. _

Party Status Criteria

1. Lines of sight, closeness to property lines, and height all affect my property. We are now advised that the special exception requested by our neighbor, if granted, will result in the main house and pool house being considered as a single structure, which will afford the property owner, as a matter of right, to substantially increase the height of the pool house.
2. I am an owner of 5057 Overlook Rd. NW.
3. My property borders that of the applicant. His closest wall is eight feet from my property line. His retaining walls are built at my property line.
4. The height, scale, and size of the proposed passageway, and buildings that could be built, if the special exception is granted will be close, visible, and intrusive to my property. BZA approval of the addition of the proposed breezeway, which would then provide the property owner right to substantially increase the height of what was previously an accessory building would have a negative impact on the value of my property at 5132 Rockwood Parkway.
5. Same as response to Question #1.
6. My property is immediately adjacent to an already expanded house, occupying at least 38% of the lot. Even larger buildings will have a substantial negative impact.