
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 BADISSY		First MOHAMED		Middle I. R	
ADDRESS: Street 821 Kentucky Ave SE		Apt. # (if any)	City Washington	State DC	Zip Code 20003
Phone No. 206-852-0741		Fax No.		E-Mail badissy@gmail.com	
I hereby request to appear and participate as a party.			Signature 		Date 04/14/13
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		First		Middle I.	
ADDRESS: Street		Ste. # (if any)	City	State DC	Zip Code 20003
Phone No.		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) APR 30
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.) BOARD OF ZONING ADJUSTMENT
DISTRICT OF COLUMBIA
CASE NO. 18544
EXHIBIT NO. 31
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. 18544
EXHIBIT NO. 31

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

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?

The house which I currently occupy at 821 Kentucky Ave SE is situated directly behind the proposed development at 1613 Independence Ave SE. The use and enjoyment of my property will be directly affected by the shadowing, light pollution, noise pollution, environmental pollution and increase in car and foot traffic from the proposed development.

2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)

I, along with my wife Hanaa Rifaey, own and occupy the house located at 821 Kentucky Ave SE.

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.)

The property that is the subject of Case # 18544 and my property are both situated on an alleyway, commonly known as Freedom Way SE. The only separation between our two properties is the width of this alleyway, which is less than 10ft.

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?

Each of the proposed variances will impact my property in a different manner. I will address them separately:

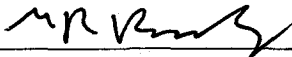
- The request for a roof structure variance will impact my property through the shadow effect and increase in noise pollution due to the proposed roof deck
- The request for a off-street parking variance will impact my property through an increase in on-street parking which will in turn cause a reduction in the current parking available to my property and those around me. Ultimately, it will require that I rebuild my backyard for use as an off-street parking space since sufficient on-street parking will no longer be available.
- The loading requirements variance will result in increased heavy truck traffic down Freedom Way, the common alleyway I share with the proposed property, that will cause noise and environmental pollution and pose a safety hazard to myself and my family.

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.

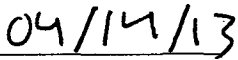
In addition to the environmental and social impacts described above, I will also suffer an economic impact in the reduction in my property value due to reduced on-street parking availability and increase noise/light/shadow pollution.

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.

Due to my close proximity to the proposed development (less than 10ft away) I will be more directly impacted by the negative consequences of this development more than the general public. In addition, due to the layout of my property relevant to the common alleyway I am more likely to be impacted by the increased parking and heavy truck traffic than both the general public and other residents along Freedom Way.



Signed by Mohamed Rali Badissy



Date