

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: JUDY L. WOOD / ANDIE MOSS
Address: 1394 ST NE, WDC 20002
Phone No(s): 202 548 4848 E Mail: amoss@moosgroup.com
I hereby request to appear and participate as a party in Case No.: 18584
Signature: Judy L. Wood Date: 6/25/13
Will you appear as a(n) ☒ Propponent ☒ 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: _____
CASE NO. 18584
EXHIBIT NO. 28

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; 0
2. A summary of the testimony of each witness (Zoning Commission only); 0
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 0
4. The total amount of time being requested to present your case (Zoning Commission only). 60 MINUTES

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

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. 18584
EXHIBIT NO. 28

(Revised 3/5/12)

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

Party Status Criteria

1. The Moss Group, Inc. is a criminal justice consulting firm and leases the space at 1312 Pennsylvania Avenue, SE. Major components of the consulting firm include high quality video conferences, webinars and high level conference calls with Federal and state government agencies throughout the country with the number of audiences/participants ranging as high as 1,000. The conference room and all offices have many conference calls and meetings going on through the day, every business day. The applicant applying for the variance has estimated that daily 45 dogs will come and go to this location for dog day care as well as dogs boarded 24/7. The certain related noise of barking dogs 24/7 would interfere with the operation of core production activities of The Moss Group and the constant noise would impact working conditions of the staff working in this space. The front door and windows are located less than 40 feet away from the main production area of TMG which will be the dog intake area. The production area also shares a wall with this area. 1312 also has offices facing the rear of the building and has a separate building at the rear of the property that is used for office space. These locations would also be impacted by the noise coming from the "warehouse" area where the dogs will be kept during the day. There are skylights/windows in the warehouse area are closely located to these offices. Section 3104.1 of the zoning regulations states "the special exceptions ... will not tend to affect adversely the use of neighboring property". We strongly feel that this variance would adversely affect the use of our property and we oppose this application.
2. Co-owner, tenant, business owner - we feel that the variance requested should be characterized as a use variance.
3. 1310 directly shares a wall with 1312
4. The office space at 1312 was designed and renovated for unique high end professional office space. The long term plan of the owners is to sell the property and they feel that the property value would be reduce due to the unlikely desire of any professional needing office space to have the disruption of a dog boarding and day care facility directly next door.
5. Under Section 735.3 "The animal boarding use shall take place entirely within an enclosed and soundproof building in such a way so as to produce no noise or odor objectionable to nearby properties." Due to the proximity of the building and shared walls we feel that this requirement would be impossible. Other issues that would be problematic are waste management, odor/sanitation management, public health issues, lack of parking or accessible drop off space and the additional traffic of owners and dogs to an already crowded pedestrian corridor.
6. Due to the direct abutment of the properties 1312 and 1310 the owners of 1312, Judy Wood, Andie Moss and the tenant, The Moss Group would be significantly and uniquely affected. The existing office space use of 1312 would be impacted more than any other property in the vicinity.

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PETITION

We, the undersigned, as Residents and Concerned Citizens Residing and Working in Ward 6B are in opposition to Application #18584 by Stjepan Sostaric (Owner and Contract Seller) on behalf of Greater Washington Animal Services, Inc. d/b/a City Dogs (Contract Purchaser). We have read the attached supporting opposition statements in reference to the Application #18584 for a special exception and variance for animal boarding and pet use for the Property at 1310 Pennsylvania Ave., SE., (Square 1043, Lot 865), Washington, DC 20003. We understand our concerns will be brought before our ANC representatives and will be considered at the 9:30 a.m. Hearing Session by the Board of Zoning Adjustment at its Public Hearing on Tuesday, July 9, 2013.

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Our opposition is based on considerations and concerns primarily but not limited to the overall adverse effects of the Property and its intended use in a location abutting the interior and exterior of residential property as well as other factors such as increased noise, odors, vermin, public health and safety on a major traffic and METRO thoroughfare and pedestrian corridor, and detrimental to the subsidized and maintained flora of the heavily traffic area of a major thoroughfare, Pennsylvania Ave. SE.

DATE FIRST AND LAST NAME (PRINT) ADDRESS SIGNATURE

5/29/13	Margaret Huckstep	1324 G St SE Unit 2003	Margaret Huckstep
5/29/13	Rosse Andrews-Weller	1314 PA. Ave SE	Rosse Andrews-Weller
5/29/13	John Matthews	207-11 SE SE NE	John Matthews
5/29/13	Allen Simon	538 13th St SE	Allen Simon
5/30/13	Doreen B. Smith	202-436-4615	Doreen B. Smith
"	Beverly G. Jones	1358 6th St SE	Beverly G. Jones
5/31	Velma Ingram	1245 C St SE	Velma Ingram
5/31/13	Mary H. Butler	1303 C St SE	Mary H. Butler
5/31/13	Doreen B. Smith	1324 G St SE	Doreen B. Smith
5/31/13	Timothy Smith	716 17 St SE #3	Timothy Smith
5/31/13	Alexis Stover	536 13th St SE	Alexis Stover
5/31/13	Richard Stover	536 13th St SE	Richard Stover
5/31/13	Victor Wigg	538 15th St SE	Victor Wigg

PETITION CONTINUATION SHEET

2013 JUN 25 PM 4:00

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5/31/13 Judy Kosovich@gmail.com

5/17 13th St SE Judy Kosovich

5/31/13 1308 Ave SE WDC DC 20003

6/8/13 JAMES J. THOMAS 805 H. ST. NE James Thomas

6/6/13 Corey Ramon 333 18th St SE

6/6/13 Rogers Guey 1613 A St. N.E. #4 Rogers Guey

6/6/13 Jessie Guey 1613 A St. N.E. #4 Jessie Guey

6/6/13 Michael Whiteman 451 17th St. SE

6/6/13 Desiree Smith 1613 A St. N.E. #3 WDC 20002 Smith

6/6/13 William V. Hall 4431 Falls Terr. SE #2 Wm. V. Hall

6/6/13 DARLENE TOWLES 1423 IVES PL SE Darlene Towles

6/8/13 Benita Guerrero - 708 12th St SE #31

6/8/13 Leontae Houston - 538 14th St. SE

6/8/13 MARY C CARTER 549 14th St S.E. Mary Carter

6/8/13 ANN THOMAS 1331 C St SE

6/8/13 Margo 1000 Penn SE

6/8/13 Donna King 500A 13th Street SE Donna King

6/8/13 Willie Barnes 1607 D St. SE

6/8/13 Annette Jenner 1527 D St. SE Annette Jenner

6/8/13 Claudine Nash 330 Adelf. Cress Ct SE WDC 20003 U. Nash

6/8/13 Steve Baddour 335 13th St SE

6/8/13 Helen Helen 1247 E St SE

6/8/13 2013 Natalie Stewart 442 20th St, N.E. Natalie Stewart

6/8/13 Shamika Watson 1200 I St SE #32 WDC 20003 Shamika Watson

6/8/13 Alice L. Palmer 435 16th St SE Alice L. Palmer

6/8/13 OLIN BYRD III 1229 G St. S.E. Olin Byrd III

6/8/13 Stephen Weigard 1130 K St. SE

6/8/13 FRANKLIN GREGG 2 18th St

6/8/13

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[illegible]

6/8/13 Edward J. Smith 515 21 S. EDC Forward Sam
6/8/13 Shirley Marshall 1208 7 St. SE DC Shirley Marshall

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