



**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:	Andrew Heimert		
Address:	4326 Klinge Street, N.W., Washington, D.C. 20016		
Phone No(s):	(202) 986-6234	E Mail:	ahonline@heimert.org
I hereby request to appear and participate as a party in Case No.:		BZA No. 18586	
Signature:		Date:	6/10/13
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:	BOARD OF ZONING ADJUSTMENT District of Columbia		
Address:	CASE NO. <u>18586</u>		
Phone No(s):	E Mail:	EXHIBIT NO. <u>29</u>	

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.

Request for Party Status in BZA Application No. 18586

Party Witness Information

1 Andrew Heimert

Party Status Criteria

1. The requested special exception will allow the construction of a covered porch that projects into the required front setback by 7 feet. This will diminish the setback and intrude upon the open space created under the Wesley Heights Overlay District. More specifically, the encroachment is directly visible from across the street, where this applicant's house is located

2. The applicant for party status is the owner of the property at 4326 Kingle Street, N W

3 The property of the applicant for party status is directly across Kingle Street from the property for which the Special Exception is sought, less than 100 feet away

4 The Special Exception would significantly decrease the amount of tree or planting space in the front yard and thereby reduce the tree canopy in the front of the house. It will also reduce the open space abutting the street, which the Wesley Height Overlay District was designed to preserve. The combination of these reductions, along with the large addition to the front of the house is likely to reduce the overall attractiveness of the view to the street from the property of the applicant for party status, thereby potentially decreasing the property's value

5 Granting a special exception to the Wesley Heights Overlay District has the potential to undermine the purpose of the Overlay District and encourage further development that is not consistent with the Overlay District. In particular, there are plans to build a new house on the property adjacent to the applicant for party status, which could be relocated into the current front setback, further diminishing the open space created by the Wesley Heights Overlay District

6 The applicant for party status lives immediately across the street from the applicant for a special exception, making any construction pursuant to the special exception particularly noticeable and obvious