
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:	The Metropole Condominium Association		
Address:	1515 15th Street, NW, Washington, DC 20005		
Phone No(s):	c/o Richard Bianco 202-220-3100	E Mail:	bianco@paulstrausslaw.com
I hereby request to appear and participate as a party in Case No.:		18638	
Signature:		Date:	10/7/13
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. **BOARD OF ZONING ADJUSTMENT**
District of Columbia

Name:	Richard Bianco, Esq.	CASE NO.	18638
Address:	1020 16th Street, NW-5th Floor, Washington, DC 20036	EXHIBIT NO.	23
Phone No(s):	202-220-3100	E Mail:	bianco@paulstrausslaw.com

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; See Attachment A
2. A summary of the testimony of each witness (*Zoning Commission only*); N/A
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 N/A
4. The total amount of time being requested to present your case (*Zoning Commission only*). N/A

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

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. 18638
EXHIBIT NO. 23

Attachment A
Witness List

1. Matthew Todd,
President and Board Member
Residential Council Member
Metropole Condominium,
1515 15th Street, NW
Washington, DC 20005
2. Stuart Carragher
Board Member
Residential Council Member
Licensed Real Estate Salesperson
1515 15th Street, NW
Washington, DC 20005
3. Patrick Burkhart
Unit Owner
Architectural/Covenants Committee
Metropole Condominium
4. Jack Jetmond
Board Member
Residential Council Member
Metropole Condominium
1515 15th Street, NW
Washington, DC 20005
5. John Copeland
Architect
Alter Urban
261 Robert St
Baltimore, MD 21217
6. Tom Genis
Architect
Genis Design
2320 20th Street, NW
Washington, DC 20009

Attachment B

1. How will the property owner or occupied by such person, or in which the person has an interest be affected by the action requested of the Commission/Board?

The action requested will result in a substantial increase in the population density of an already densely populated neighborhood. The present use of the applicant's property as several single family homes is far more appropriate and manageable given the current traffic, parking, safety issues in the neighborhood.

More specifically, the subject property shares a public alley with the Metropole Condominium. The alley is difficult to manage given the neighborhood's congested traffic patterns, parking issues and the service needs of the Metropole and surrounding buildings. Adding another development, of the size proposed by the applicant, will make the use of the alley significantly more difficult if not impossible.

The additional height sought by the applicant and proximity of the applicant's property to the Metropole will obstruct many of the Unit Owner's light, air and views which they currently enjoy.

Presently there is an appropriate number of parking spaces for the number of units which exists on the Applicant's property. However, by adding the large number of units which the applicant is requesting, without adding additional parking, the parking problem in the neighborhood will be further exacerbated. Furthermore, the customers and potential customers of the commercial units within the Metropole Condominium will find it even more difficult to locate appropriate parking which will adversely impact their business.

Finally, as a result of the foregoing, the property values of the Units, both residential and commercial, within the Metropole Condominium, will be adversely impacted by the requested relief.

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

The Metropole Condominium Association represents the Unit Owners of the Metropole Condominium at 1515 15th Street, NW pursuant to §301 (b) of the Condominium Act.

3. What is the distance between the person's property and the property that is the subject of the application before the Commission/Board?

Less than 200 feet.

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.

If denied, or approved with appropriate restriction or modification, the Metropole's concern with regard to the alley usage, parking and obstruction will be reduced or eliminated.

If the Applicant's request for relief is approved, the effects are fully discussed in response to question #1 above will cause economic harm to the Unit Owners of the Metropole.

5. 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 person's in the general public.

The Metropole's interest will be more significantly affected than that of the general public by its proximity to the Applicant's property, the fact that it shares a public alley with the Applicant's property, and that the Applicant's proposal, if approved, will block out air light and views for many of the Unit Owners of the Metropole.