



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:	BRYANTE E. GARDNER		
Address:	1740 CHURCH ST. NW, WASHINGTON DC 20036		
Phone No(s):	202-460-5893	E Mail:	bgardner@winston.com
I hereby request to appear and participate as a party in Case No.:		18722	
Signature:		Date:	17 JAN 14
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. 18722		
Phone No(s):	EXHIBIT NO. 25	E Mail:	

PARTY WITNESS INFORMATION:

On a separate piece of paper, please provide the following witness information:

- A list of witnesses who will testify on the party's behalf;
- A summary of the testimony of each witness (Zoning Commission only);
- 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
- The total amount of time being requested to present your case (Zoning Commission only).

SEE ENCLOSED

PARTY STATUS CRITERIA:

Please answer all of the following questions referencing why the above entity should be granted party status:

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

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. 18722
EXHIBIT NO. 25

In the event witness is unable to appear, please recognize the concerns expressed in the attached party status application as applicant's written submission.

Bryant E. Gardner
Application for Party Status & Submission of Comments for the Record
Case No. 18722
Re Keegan Theater, 1742 Church St NW
Supplemental Page No. 1 to Form 140

Party Witness Information

1. Only potential witness will be the applicant, Bryant E. Gardner
2. Potential witness testimony will generally be in support of application, qualified with concerns regarding performance and related crowd noise expressing strong support for appropriate noise reduction insulation in the performance area walls and roof lining of the theater
3. No expert witnesses are expected.
4. Total time requested would not exceed 5-10 minutes depending upon questioning of the witness

Party Status Criteria

- 1 Applicant Bryant E Gardner lives in single family home at 1740 Church Street, immediately adjacent to 1742 Church St Applicant has one small child and one due May 8th, and has experienced noise problems with ongoing theater operations due to lack of sound insulation and late performances, but generally is very supportive of the Keegan Theater's continued operation and achievement of required zoning for same. Additional or increased theater production noise will further disrupt applicant's family peace and wellbeing
2. Applicant is owner of 1740 Church Street, NW.
3. Distance between the two properties is zero. The properties are adjacent Children's bedroom windows are facing and parallel on property to the Keegan stage and orchestra areas. My bedroom overhangs the sidewalk where crowds gather before and after performances
4. The Keegan theater provides an enriching cultural experience for our neighborhood, our block and our family As set forth above, we have continued ongoing concerns regarding the emanation of noise from Keegan during performances, post-production crowd noise, and on-property set construction outdoors. We therefore advocate aggressive sound insulation within the property, and restrictions on performance hours
5. The relevant matters have been set forth above.
- 6 Because we are immediately adjacent to the property, the performance sound and crowd loitering impacts are elevated relative to the general public. The beneficial cultural impact for us from the Keegan Theater productions, and interaction with the fine men and women of the Keegan Theater, is also increased.