

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

Board of Zoning Adjustment
District of Columbia
BACB NO. 101234

EXHIBIT NO.5



BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

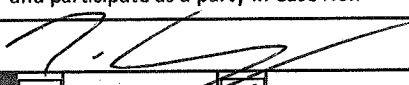


FORM 140 - PARTY STATUS REQUEST

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:	Tamatane Aga		
Address:	2109 10th St NW, #102, Washington, DC 20001		
Phone No(s):	913-220-4376	E Mail:	tamaaga@gmail.com
I hereby request to appear and participate as a party in Case No.:		18723	
Signature:			
Date:	May 24, 2016		
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:			
Address:			
Phone No(s):		E Mail:	

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.

**Form 140 Party Status Request
Addendum
Case 18723
Tamatane Aga**

PARTY WITNESS INFORMATION

- 1. A list of witnesses who will testify on the party's behalf**

Self

- 2. A summary of the testimony of each witness**

I live within 50 feet of the subject property and my property shares an alleyway, Union Court, with the subject property. The subject property is a vacant and blighted space that is a nuisance to me and to the neighborhood. The subject property has an unsecured chain link fence with an open door which has people, nightlife participants within the U Street corridor area, vagrants, litter, etc. onto the property at all times. It has been cited by the Department of Consumer and Regulatory Affairs as a vacant property. Additionally, the subject property has also received a separate notice by Department of Consumer and Affairs for violation of 14 DCMR - § 800.10, Notice No. CWD1600266. It has also received a Notice of Pending Abatement Action in violation from the Division of Enforcement and Legislative Affairs pursuant to DC Official Code § 42-3131, SSL 0358 0830, Control No. CWD1600266. I

- 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.**

None anticipated.

- 4. The total amount of time being requested to present your case.**

30 minutes

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?**

I live within 50 feet of the property and will be negatively affected by the continued and additional undue delay by the property owner.

- 2. What legal interest does the person have in the property?**

I am a neighbor within 50 feet of the subject property. My property shares an alleyway, Union Court, with the subject property.

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

10-20 feet.

4. What are the environmental, economic, or social impacts that are likely be affected or aggrieved if the action requested by the Commission/Board is approved or denied.

The negative environmental, economic, and social impacts of an unsecured vacant and blighted property will only continue.

5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested by the Commission/Board is approved or denied.

The landowner continues to make misrepresentations regarding development of the property, while only making minimal repairs to have the property misclassified and to avoid payment of vacant property taxes. The grant of an extension would condone the landowner's behavior. The filing of the extension was never served on us although we live within 200 feet of the property.

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 the persons in the general public.

I am a neighbor within 50 feet of the subject property. My property shares an alleyway, Union Court, with the subject property. My proximity to the subject property therefore makes me significantly, distinctly, or uniquely affected, as compared to other persons in the general public.