

### ***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 4<sup>th</sup> 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](http://www.dcoz.dc.gov) \* [dcoz@dc.gov](mailto:dcoz@dc.gov)**

**Board of Zoning Adjustment  
District of Columbia  
CASE NO.18852  
EXHIBIT NO.51**



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:  |                                    |                                   |   |
| Address:   |                                    |                                   |   |
| Phone No(s):   |                                    | E Mail:                           |   |
| I hereby request to appear and participate as a party in Case No.: |                                    |                                   |   |
| Signature:   |                                    | Date:                             |   |
| Will you appear as a(n)  | <input type="checkbox"/> Proponent | <input type="checkbox"/> Opponent | Will you appear through legal counsel? <input type="checkbox"/> Yes <input type="checkbox"/> 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?  | See Attachment |
| 2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)  | See Attachment |
| 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 |
| 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 |
| 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 |
| 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 |

**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.**

## **Attachment to Form 140 – PARTY STATUS REQUEST**

*(Ahmed Ait-Ghezala – 915 M Street NW, DC, 20001)*

### **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?**

The action requested will result in a substantial increase in the population density of an already densely populated neighborhood. The increased traffic and demand for parking that accompanies it, will increase substantially. The development would have significant negative effect on the historic character of the Alley and the surrounding residential historic area where we are property owners. It would bring additional demand for parking, increased traffic in the alleys and on M and 9<sup>th</sup> Streets, many more pedestrians in the courts and alleys that are actively used by vehicles to access properties. It would have a negative effect on our property values and our quality of life.

The proposed development would encroach unnecessarily on our properties and the surrounding historic area. It would degrade the surrounding residential neighborhood by its intensity and scale. There is no evidence to support the many assertions and assumptions made by the Applicant about how it would function and affect the surrounding area, which includes Blagden Alley, a National Historic site as well as our residences, which are also historic. The proposed development is detrimental to us as property owners, and it is also not in the overall public interest by not protecting the historic alley.

The proposed development is located in Blagden Alley, which was re-zoned in 1996 from R-4 to C-2-A by Planning Commission Order No. 782. This re-zoning included the M Street site. The Order promised that the extent and type of C-2-A development that would be allowed in the alley would be restricted to protect the alley and the surrounding residential neighborhood. The proposed project is located in a C-2-A zone but is far beyond the scale and intensity promised by Order No. 782. The re-zoning was intended to “*encourage small-scale, mixed-use development to improve Blagden Alley, an historic but blighted downtown neighborhood.*” The proposed development already exceeds the limits of the zoning described in Order No. 782 and with the proposed exceptions and variances would further exceed it.

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

I am a property owner located immediately next door to proposed development on M Street.

#### **3. What is the distance between the person’s property and the property that is the subject of the application?**

The subject property directly abuts my property.

**4. What are the environmental, economic, or social impacts that are likely to affect the person and/or person's property if the action requested of the Commission/Board is approved or denied?**

**a. Parking:**

The Applicant is seeking variance so they do not have to provide parking when 61 parking spaces are required for both buildings, with 39 for the M Street building alone. We do not think the Applicant has demonstrated that residents, employees, visitors, deliveries, and removals will not need parking. No evidence is provided to support this assertion.

Parking is an issue now in the area which is close to the convention center, new hotels and residential development that brings in many more residents and visitors. There is no legal parking at all in Blagden Alley, nor is there much street parking available to accommodate the number of new residents and employees who may have cars, or wish to have cars at some point. The application states there is a "very low likelihood of residents having cars." It also states "no residents would have cars." No one can say how many residents will have or want cars and it is highly unlikely to be zero.

**b. Traffic, Tenant Moving, Maintenance and Deliveries, Trash Removal**

The Applicant has not addressed the issue of traffic, deliveries, and tenants moving in and out. No loading dock is provided in the rear of the buildings so delivery, moving, and maintenance vehicles will have to operate from the main streets. Applicant plans to have trash pickup for all 120 units out of the front of the building on M Street.

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

I am concerned about the negative effect the development will have on residential property values. The additional congestion, noise, parking problems, degradation of the historic value/essence of the area, will all combine to jeopardize the value of our buildings. The proposed development with its two buildings and connecting pedestrian bridge across the interior court of Blagden Alley, is also out of context of the historic area.

**6. Explain how the person's interest will be more significantly, distinctly, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public.**

I am significantly affected because the development is immediately next door to the proposed development. However, the general public is also greatly affected because of the encroachment and degradation of the Blagden Alley historic area and the surrounding historic residences.