



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:	CHRISTIAN MULDER		
Address:	3139 DUMBARTON STR, NW WASHINGTON DC		
Phone No(s):	202-3751055	E Mail:	C.MULDER@WORLDANK.OEG
I hereby request to appear and participate as a party in Case No.:		18884	
Signature:			Date: Dec 22, 2014
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:	ANDREA FERSTER		
Address:	2121 WARD COURT, NW 5th FLOOR, WASHINGTON DC		
Phone No(s):	202-9745142	E Mail:	A.FERSTER@RAILS2OTRAILS.ORG

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

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.

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.



C.B. Mulder

3139 Dumbarton St

WB Gallagher
WILLIAM B GALLAGHER
3143 DUMBARTON

Thomas L. Adams
3141 Dumbarton St. NW

Caesar Junker
3146 O St NW Washington DC

Caesar Junker
3142 O St NW Washington DC



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.

Addendum to form 140 filed in Case # : 18884

Not all information could fit on form 140: this an addendum with the full information added in Italics to the questions which are for ease of reference replicated below.

Pursuant to 11 DCMR §§ 3022.3 or 3106.2, a request is hereby made, to appear and participate as a party in Case No. 18884 as opponent the details of which are as follows:

*Name: Christian Mulder
Address: 3139 Dumbarton Street
E-Mail: cmulder@worldbank.org
Phone No(s): 202-3751055*

*Name: Bill Gallagher
Address: 3143 Dumbarton Street NW
E-Mail: bgallagher@kgpds.com
Phone No(s): 202-9970290*

*Name: Tom Adams
Address: 3141 Dumbarton Street NW
E-Mail: tadams563@aol.com
Phone No(s): 202-3337485*

*Name: Caesar Junker
Address: 3146 O street; 3142 O Street NW
E-Mail: caesar.junker@gmail.com
Phone No(s): 202-6256194*

Name and address of such legal counsel

*Andrea Ferster
2121 Ward Court, N.W. 5th Floor
Washington, D.C. 20037
(202) 974-5142 (work)
(202) 223-9257 (facsimile)
oferster@railstotrails.org*

The undersigned parties authorize their designated legal counsel to bind them in this proceeding.

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

The parties will testify. The parties reserve the right to present an expert witness.

2. A summary of the testimony of each witness (*Zoning Commission only*);

NA

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

NA

4. The total amount of time being requested to present your case (*Zoning Commission only*).

NA

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?

Loss of privacy, light, and air due to reduced open space and increased building height; negative effect on natural vegetation including several trees (including a 100 year old ASH tree, one of largest trees in Georgetown). The increased congestion, decreased parking access and density of buildings with will place an additional burden on residents. Increased fire hazard is created with more buildings and less access to our properties—the property does not have the required width of access.

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

All persons seek party status are owners.

In addition Tom Adams asserts ownership of a part of the lot in question for which the variance and exception are requested. The part of the lot was purchased in a tax sale by the District of Columbia.

In addition Christian Mulder claims that the two feet behind the carriage house as claimed are largely owned by him.

In addition he claims that part of the carriage house (about 1/3; the one story space) as drawn on exhibit 4 of Case 18884 is an illegal and unsafe structure that without permission has been built into his wall.

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.)

0 feet; each of the persons requesting party status abut the subject property.

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?

Loss of privacy, open space, light, and air; loss of the natural vegetation including several trees (including a 100 year old ASH tree, one of largest trees in Georgetown), increased congestion and density of buildings with no plans to help relieve the additional burden placed on residents and decreased parking access.

The proposal will have a negative impact on the value of our properties, and on the real estate taxes DC can collect. The additional build-up and the way the open space is going to be used will increase water run-off. Tree roots will be damaged by digging, sewerlines etc.

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.

If this is set as an example others will also follow with increased density of building.

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.

Each of the persons requesting party status will be more significantly and uniquely adversely affected by the proposed zoning action than members of the public. Our five properties all abut the property of the applicant. In total 6 properties abut the lot. One other property also abuts the property of applicant but this is owned by an absent landlord.