



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:	Robert Shelton		
Address:	323 5th Street S. E., Washington, D.C. 20003		
Phone No(s):	443-286-9517	E. Mail:	rshelton@sheltonandcareylaw.com
I hereby request to appear and participate as a party in Case No.:		18938 <i>EPOLITO</i>	
Signature:	<i>Robert C. Shelton</i>	Date:	<i>12/24/2014 1/7/2015</i>
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:	<i>Pat at the law.</i>		
Address:	<i>Regus Henry</i>		
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.

CASE NO. 18938
EXHIBIT NO. 26

TO: Board of Zoning Adjustment of the District of Columbia

FROM: Robert Shelton & Mark (Clarence) Flynn
323 5th Street S. E., Washington, D.C. 20003

RE: Case # 18938

1. Proposed addition will limit access to light and air and affect the general ambiance of the rear of our home. Not only is it proposed to enclose the lovely traditional columned back porch but there will also be a low level deck which extends beyond the extension.
2. Owners for almost 40 years.
3. Adjacent
4. Our house has a common party wall with the Applicant's. An extension will be right on the common property line. The Applicant's house already extends substantially further along the Common property line than ours.
SITE PLAN APPEARS TO BE INACCURATE
325 is already non conforming for lot occupancy in this very densely settled historic area. The kitchen is already of good size for the house. These zoning requirements exist of course to fairly allocate limited resources of very small lots. Extending the non-conforming use along a common property line would be an unfair and inappropriate adjustment to the zoning requirements.
2 STORY ADDITION TOTALLY IN APPROPRIATE
We have previously agreed to a major project to deepen the ground floor (basement) into an additional living area, which extends the entire length of the house. This required demolishing the existing concrete floor. We agreed to this despite having some concern as to the structural integrity of the over 100 year-old soft brick common wall.
5. We have developed the back yard space with a terrace and garden. We frequently look out to the garden through the sliding glass doors in the rear of our house.
6. This house represents a very significant asset for us. We are mindful that the ambiance of the rear of our house will significantly affect the value at such time as a sale may be appropriate.

The applicants are fine people, with a lovely family and excellent neighbors. We will explore this further with them; but as expressed above are concerned. *and object.*

Conor/
Please

