



BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA



FORM 141 - INTERVENOR 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: THIS FORM IS FOR APPEALS ONLY.
(Please see reverse side for more information about this distinction.)

Name:	Charles L. Smith and Patricia J. Lute			
Address:	4320 15th Street, NW WDC 20011			
Phone No.(s):	202-291-2581	E Mail:	chazsdc@aol.com	
I hereby request to appear and participate as an intervenor in Appeal No.:		18991		
Signature:			Date:	September 1, 2015
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:		

INTERVENOR CRITERIA:

On a separate piece of paper, please answer all of the following questions referencing why the above person should be granted intervenor status, pursuant to 11 DCMR § 3112.15:

1. What legal interest does the person (i.e., owner, tenant, trustee, or mortgagee) have in the property?
2. How will the property owned or occupied by such person, or in which such person has an interest, be affected if the Appeal before the Board is approved or denied?
3. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the Appeal before the Board is approved or denied.
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 Board is approved or denied?
5. What is the distance between the person's property and the property that is the subject of the Appeal before the Board? (Preferably no farther than 200 ft.)

Intervenor

Individuals who have a serious interest in the outcome of an Appeal heard before the Board of Zoning Adjustment (BZA) can request to "intervene" in the proceedings and participate in the Appeal. The Board may grant intervenor status to any person meeting the standards enumerated in 11 DCMR § 3112.15.

The Board may limit an intervenor's participation in the Appeal. Once granted such status, subject to any limitations imposed by the Board, an intervenor shall be treated like any other participant in the proceedings, with the same rights and obligations attendant thereto, including those contained in 11 DCMR § 3111.

Any Appellant, Appellee, or other Intervenor may object to the participation of another person as an intervenor by filing, at or before the commencement of the hearing, a written objection and serving a copy of the objection upon the person seeking such status and upon all other participants.

INSTRUCTIONS

Any request for intervenor status as provided in the Title 11 DCMR 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

INTERVENOR REQUEST for CASE #18991

SUPPLEMENTAL DOCUMENT TO SUPPORT FORM 141, QUESTIONS 1-5

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

Our legal interest is as neighboring property owners at 4320 15th Street NW.

2. How will the property owned or occupied by such person, or in which such person has an interest, be affected if the Appeal before the Board is approved or denied?

If the Appeal is denied, our quality of life will be greatly diminished by the construction of the new apartment building at 1521 Varum Street NW.

3. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the Appeal before the Board is approved or denied.

We reside in an R-4 Residential District. There are no other apartment buildings on lots used for single-family homes since they were built in the 1920s. Our back yard will be directly impacted by the demolition, excavation and construction of this three-story apartment building. There is no raze permit; the builder is not responsible for protecting the neighboring residences from toxic waste and dust as a result of the massive excavation. Demolition and destruction of the property could cause sewage to back up into the neighboring residences. Power and water services would be disrupted for hours every day for months.

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 Board is approved or denied?

If the Appeal is denied, the privacy and use of our back yard and porch will be lost with the apartment building's proposed crime lighting, rooftop decks, and balconies. The use of our back windows will be restricted due to the proximity and unrestricted visual access by the apartment windows, balconies, and roof decks. This building will offer no visual relief, instead disrupting the visual harmony of the prevailing architecture. The alley behind our house, measuring 18 feet in width, has no access from Varum Street, NW, and must be entered by 15th Street NW—our street—or Webster Street NW. This is a poorly maintained service alley which freezes in icy conditions. The parking area at 1521 Varum Street NW was not designed to be converted into a four car parking lot with access to a building facing the alley. Compliance with the R-4 Residential District is for one car per back lot.

We are also concerned about noise and increased opportunity for crime in the alley directly behind our house. The properties on the 4300 block of 15th Street NW, including our home, would be directly impacted by the disturbance of people using the proposed rear entrances to 1521 Varum Street NW, including delivery vans, moving trucks, and vehicles coming and going at all hours. We would be severely affected by a lack of privacy, danger from speeding vehicles, possible property damage from vehicles negotiating the very tight 90-degree turns of the alleys behind our property, and the light pollution that would accompany the proposed multi-unit apartment building with three stories and rooftop decks. Additionally, city services to our property and those of our neighbors on the 4300 block of 15th Street (trash, recycling, fire, ambulance) would be restricted when the alleys behind our properties are blocked

by cars and large delivery vans, as would inevitably occur due to the lack of access to the proposed apartment complex from Varnum Street NW.

5. What is the distance between the person's property and the property that is the subject of the Appeal before the Board? (Preferably no farther than 200 ft.)

The back gate of our property is 150 feet from the site of the proposed apartment building.

Signed:

A handwritten signature in black ink, appearing to read 'Charles L. Smith', with a stylized 'X' at the end.

Charles L. Smith
4320 15th Street NW
Washington DC 20013