



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: SPRING VALLEY-WESLEY HTS. CITIZENS ASSN./Jeffrey L. Kraskin, President

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I hereby request to appear and participate as an intervenor in Appeal No.:

B2A CASE NO. 19274

Signature: [Signature]

Date:

6/8/2016

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:

ADVANCED INTERVENOR STATUS CONSIDERATION PURSUANT TO: Subtitle Y § 502.2

I hereby request advance Intervenor Status consideration at the public meetings scheduled for:

JUNE 28, 2016

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 Subtitle Y § 502.1(i):

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.)

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

The Spring Valley-Wesley Heights Citizens Association (SVWHCA) is an unincorporated association which has been in existence since 1978. The SVWHCA includes in its membership all residents of Spring Valley, many of whom own properties immediately adjacent to the commercial property that is the subject of this appeal. Although all residents within Spring Valley are eligible to be members of the association, members of the SVWHCA are primarily owners of private residences. The association has a long record of representing residential homeowners in Spring Valley with a goal of protecting homeowners' property rights and values, especially in city proceedings. Members of the SVWHCA will be directly impacted by the traffic, parking, and public safety issues that will result from plans to reduce parking at the site while increasing commercial activity.

The Executive Committee of the Spring Valley-Wesley Heights Citizens Association met on May 29, 2016 to authorize participating in this case as an intervenor. The Board is authorized under Article III (a) of the association's Constitution to act on the business of the Association when the Association is not in formal session. Article III reads as follows:

"The Executive Committee shall consist of all officers as set forth in Article II, the delegates to the Federation of Citizens Associations and the Chairman of the standing committees. It shall be authorized to act upon all ordinary business of the Association when the Association is not in session, and upon urgent matters requiring action prior to any regular or special meeting of the Association."

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?

Residents, especially those that live immediately adjacent to the commercial property, will be affected by the traffic stemming from an expansion of commercial facilities at the adjacent Shopping Center. Residents also will be directly impacted by the reduction in parking spaces at the Shopping Center because patrons of the Shopping Center will park on neighborhood streets if parking is not available in the parking lot or if congestion in the parking lot discourages people from using the parking lot and makes parking on neighborhood streets a preferential alternative.

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.

Unless the appeal is approved, residents will be denied the opportunity, as provided for in the city's zoning regulations, to have meaningful input on a parking plan at the adjacent Shopping Center that is not consistent with the Zoning regulations and could have a significant impact on property values while creating new pedestrian and traffic safety issues in the adjacent residential neighborhood.

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?

The decision of the Zoning Administrator is inconsistent with the intent of city's zoning regulations and has the effect of denying residents the rights provided for in the city's zoning regulations to have a voice in zoning matters. The ZA's decision effectively eliminates the opportunity for residents to protect their property values which would be affected by traffic conditions that would be created by the reduction in parking proposed for the Shopping Center. Moreover, the reduction in size of the spaces and over design will create a set of conditions in the parking lot that will make it a congested, unattractive, and perhaps even unsafe environment for shopping center patrons. This will lead to more cars circulating through the neighborhood looking for parking on neighborhood streets. Residents should have the opportunity to impact the design of a parking lot immediately adjacent to their homes through a variance proceeding.

Moreover, all city residents are harmed when the Zoning Administrator exceeds his authority under DC regulations.

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 further than 200 feet.)

The property that is the subject of this case is only 28 feet from private homes in the Spring Valley residential neighborhood.