



**BEFORE THE BOARD OF ZONING ADJUSTMENT  
OF THE DISTRICT OF COLUMBIA**



**FORM 141 - INTERVENOR REQUEST**

Before completing this form, please go to [www.dcoz.dc.gov](http://www.dcoz.dc.gov) > IZIS > Participating in an Existing Case > Request for Intervenor Status for instructions. 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:** Kevin Cummins

**Address:** 1123 7TH ST NE, Washington, DC 20002

**Phone No.(s):** 202 725-4735      **E-Mail:** kevin.cummins11@gmail.com

I hereby request to appear and participate as an intervenor in Appeal No.: 19550

**Signature:** Kevin Cummins      **Date:** September 20, 2017

**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 INTEVENOR STATUS CONSIDERATION PURSUANT TO: Subtitle Y § 502.2**

I hereby request advance Intervenor Status consideration at the public meetings scheduled for: October 4, 2017

**INTEVENOR 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?

See attached.

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?

See attached.

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.

See attached.

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?

See attached.

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.)

See attached.

**Kevin Cummins**  
1123 7<sup>TH</sup> ST NE, Washington, DC 20002  
tel. 202 725-4735 / kevin.cummins11@gmail.com

**Appeal No. 19550, “Appeal of ANC 6C”**  
**1125 7<sup>TH</sup> ST NE (Square 886, Lot 35)**  
**Hearing date: October 4, 2017**

**Request for Intervenor Status**

I, Kevin Cummins, submit this statement pursuant to 11 DCMR Subtitle Y § 502.1(i) and BZA Form 141 Intervenor Request to request intervenor status in Appeal no. 19550, “Appeal of ANC 6C,” of the issuance of building permit B1706219 for 1125 7<sup>TH</sup> ST NE (Square 886, Lot 35).

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

I am an owner and resident of 1123 7<sup>TH</sup> ST NE, which is an adjoining and structurally-connected row home to the subject property located at 1125 7<sup>TH</sup> ST NE for which building permit B1706219 was issued. Thus, my interest is more significantly affected by the Appeal than those of other persons within the boundaries of ANC 6C or other persons in the general public.

***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 of the issuance of building permit B1706219 is denied, the construction of two separate and much larger townhouses as a matter-of-right at 1125 7<sup>TH</sup> ST NE will damage my home and adversely impact my property’s access to light and air. The new third level and roof deck construction along the property line would impede the functioning of a chimney located on my adjoining roof in violation of Title 11-E DCMR § 206.1(b) of the Zoning Regulations. The second, rear townhouse would be 4 stories (including a “cellar” level) plus roof deck and have a building area of at least 640 sq. ft. These new and much larger townhouses would negatively impact the enjoyment and use of my home and rear yard as well as my property’s value.

***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.***

The Department of Consumer and Regulatory Affairs (DCRA) has dismissed the zoning-related concerns I raised with Director Melinda Bolling and testified about before the D.C. Council regarding the issuance of building permit B1706219. That building permit B1706219 was issued by DCRA despite clear deficiencies in terms of Zoning Regulations compliance indicates that the agency is not meeting its mission to protect the health, safety, economic interests and quality of life of District residents and homeowners like me. If the Appeal is denied, it could contribute to a

lack of accountability to District residents like me for DCRA actions that are both improper and counter to the agency's mission.

***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?***

Since building permit B1706219 does not provide the required twenty percent (20%) pervious surface minimum, the new construction could negatively impact storm water management and flooding in my neighborhood during significant rainfall events.

If the Appeal is denied, the new townhouse construction projecting into the public space in front of the property will block views and disrupt the row house character of the east side of the 1100 block of 7<sup>TH</sup> ST NE, where the front façades of the rowhouses are all aligned. The new parking pad extending to the east property line will partially occupy what is currently publicly-maintained alley space in the rear of 1125 7<sup>TH</sup> ST NE which is used by emergency vehicles, waste management trucks, and personal vehicles to access the rear of the 1100 block of 7<sup>TH</sup> ST NE and 8<sup>TH</sup> ST NE.

***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.)***

My property is an immediately adjoining row home that shares a party wall with the subject property located at 1125 7TH ST NE. Thus, my interest as a property owner living adjacent to the subject property may not be adequately represented by the automatic parties in Appeal number 19550.

Respectfully submitted,



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Kevin Cummins