

BEFORE THE ZONING COMMISSION OR BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

FORM 140 - PARTY STATUS REQUEST

Before completing this form, please go to www.dcoz.dc.gov > IZIS > Participating in an Existing Case > Party Status Request for instructions. 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.

Pursuant to 11 DCMR Subtitle Y § 404.1 or Subtitle Z § 404.1, a request is hereby made, the details of which are as follows:

Name: West End Citizens Association
Address: c/o Barbara Kahlow, 800 25th St. NW #704, Wash., DC 20037
Phone No(s): 202-965-1083 E Mail: barbara.kahlow@verizon.net

I hereby request to appear and participate as a party in Case No.: BZA #19748

Signature: Sara Maddux Date:

Will you appear as a(n) [ ] Proponent [x] Opponent Will you appear through legal counsel? [ ] Yes [x] No

If yes, please enter the name and address of such legal counsel.

Name:
Address:
Phone No(s): E Mail:

ADVANCED PARTY STATUS CONSIDERATION PURSUANT TO: Subtitle Y § 404.3/Subtitle Z § 404.3:

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

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;
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; and
4. The total amount of time being requested to present your case.

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.

2014 APR 19 02:31

2018 APR 19 PM 1:37

# West End Citizens Association Washington, D.C.

Boundaries: 15th Street on the East • Potomac Park on the South  
Rock Creek and the Potomac on the West • N Street on the North

April 19, 2018

Ms. Sara Bardin  
Director  
Office of Zoning  
441-4th Street, N.W. - Suite 200-S  
Washington, DC 20001

Re: Request for Party Status – BZA No. 19748 (Acton Academy Foundation –  
Special Exceptions @ Square 28, Lots 172 & 846)

Dear Ms. Bardin:

This letter requests "Party" status for the West End Citizens Association (WECA), of which I am President, for Board of Zoning Adjustment (BZA) Case No. 19748 (Acton Academy Foundation – Special Exceptions @ Square 28, Lots 172 & 846) to be heard on May 16, 2018.

The WECA, founded in 1910 and one of the oldest citizens associations in DC, is primarily interested in maintaining the quality of life for the existing residential community in Foggy Bottom-West End.

Enclosed is a copy of the WECA's completed Zoning Commission Form 140, "Party Status Request." The BZA's procedures for contested cases at 11 DCMR Y §404.1 and its Form 140 ask for the following information from persons and organizations requesting Party status:

Witness Information

- (1) A list of witnesses who will testify on the person's behalf: WECA Board Secretary-Treasurer Barbara Kahlow and/or WECA President Sara Maddux.
- (2) A summary of the testimony of each witness: Mrs. Kahlow and/or Ms. Maddux will testify in opposition to the Special Exceptions since the new school would be in the Foggy Bottom Historic District which includes many retired residents and would create objectionable noise three times daily in a new outdoor playground abutting homes.
- (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: none.
- (4) The total amount of time being requested to present your case: 10 minutes.

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Party Status Criteria

- (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: the WECA includes Members from 15th Street on the East, Potomac Park on the South, Rock Creek and the Potomac on the West, and N Street on the North.
- (2) What legal interest does the person has in the property? (i.e., owner, tenant, trustee, or mortgagee): the WECA has owners and tenants with a legal interest in the subject property.
- (3) What is the distance between the person's property and the property that is the subject of the application before the Commission? (preferably no farther than 200 ft.): the subject property lies within the WECA's boundaries.
- (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 is approved or denied?: the WECA believes that the requirements of no adverse effect for a Special Exception for a private school will not be met due to: (a) objectionable noise from a new outdoor playground on the abutting and nearby residential community in the Foggy Bottom Historic District, and (b) the effects of additional traffic from week-day drop offs and pickups in an alley without an alternative of using a regular street (NOTE: 25<sup>th</sup> Street is one-way in that block and restricted to no buses at any time). The Applicant's assertion that 3 times a day outdoor play will occur "when most adjoining residents are likely to be away from home" (p. 6) is not accurate.
- (5) Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission is approved or denied: none.
- (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: WECA Members' could have: property values affected and face objectionable noise in a residential zone in an Historic District. The bottom line is that WECA Members' interests will be more significantly, distinctively, and uniquely affected.

If any additional information is needed, Barbara Kahlow can be reached during the day on (202) 965-1083.

Sincerely,



Sara Maddux  
President

Enclosure