



PARTY STATUS APPLICATION



Notice: See other side of party status form for instructions.

NAME: Last

Reed

First

Carolyn

Middle I.

A

ADDRESS: Street

2480 16th St, NW

Apt. # (if any)

725

City

Washington, DC

State

Zip Code

20009

Phone No.

202 466-2908 (d) 202 360-3469 (e)

Fax No.

E-Mail

Carolynreed@earthlink.net

I, hereby request to appear and participate as a party.

Carolyn A. Reed

3/15/06

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: Last

First

Middle I.

ADDRESS: Street

Ste. # (if any)

City

State

Zip Code

Phone No.

Fax No.

E-Mail

Please answer all of the following questions referencing why the above person should be granted party status.
(If you require additional space, please attach an additional sheet.)

- 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 Board?

PLEASE SEE ATTACHED sheet

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

Tenant

- 3). What is the distance between the person's property and the property that is the subject of the appeal or application before the Board? (Preferably no farther than 200ft.)

Living in apartment on site of existing unit - approximately 50 feet

- 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?

PLEASE SEE ATTACHED sheet

- 5). Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Board is approved or denied.

PLEASE SEE ATTACHED sheet

- 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 person's in the general public.

PLEASE SEE ATTACHED sheet

ZONING COMMISSION

CASE No.

04-36

EXHIBIT No.

District of Columbia

CASE NO. 04-36

EXHIBIT NO. 38

INSTRUCTIONS

Any request for party status for action provided in the District of Columbia Zoning Regulations (11 DCMR Zoning) that is not completed in accordance with the following instructions shall not be accepted.

1. Form 140 must be completely filled out and be typewritten or printed. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form.
2. Present this form to the Office of Zoning at 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.

APPEARANCE AND REPRESENTATION

In a proceeding before the Zoning Commission or Board of Zoning Adjustment, any person or party may appear on his or her own behalf. Any person or party may be represented by any other person duly authorized in writing to do so. The authorization shall state specifically that the authorization includes the power of the agent or representation to bind the person in the case.

Except for the applicant, appellant or the ANC, to participate as a party in a proceeding before the Board, any affected person shall file with the Zoning Commission or Board of Zoning Adjustment, not less than fourteen (14) days prior to the date set for the hearing, the following information.

- (a) The person's name and address;
- (b) A request to appear and participate as a party;
- (c) Whether the person will appear as a proponent or opponent of the application or appeal;
- (d) Whether the person will appear through legal counsel and, if so, the name and address of such legal counsel;
- (e) A list of witnesses who will testify on the persons behalf; and
- (f) A written statement setting forth why the person should be granted party status, including reference to the following:
 - (1) The property owned or occupied by such person, or in which such person has an interest, that will be affected by the action requested of the Board;
 - (2) The legal interest such person has in such property, such as owner, tenant, trustee or mortgagee;
 - (3) The distance between such person's property and the property that is the subject of the application or appeal before the Board;
 - (4) The environmental, economic or social impacts that are likely to affect such person and/or such person's property if the action requested of the Board is approved or denied; and
 - (5) Any other relevant matters that demonstrate how such person likely will be affected or aggrieved if the action requested of the Board is approved or denied.
- (6) In considering any request for party status pursuant to Subsection 3106.2, the Board shall grant party status only if the person has clearly demonstrated that his or her interests will be more significantly, distinctively or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

Question 1: The primary concern is the loss of existing affordable housing resulting in the potential loss of the applicant's home and those of other tenants of the existing Dorchester House units. This tenant does not have full knowledge of the scope of the landlord's application because the landlord failed to take reasonable steps to provide timely notice to existing residents prior to the filing date for this application. Tenant has a lease with the landlord in her name. The landlord has possession of the current tenant rolls and should be required to make a reasonable effort to inform affected parties by a mailing to all occupants or by placing a notice in the boxes of each tenant which are in the lobby of the building. For this reason, I request the Board to adjourn the hearing set for March 30th and to require the owner to make all reasonable efforts to inform affected parties in a timely manner. If there is no adjournment, this applicant would like to submit additional documentation once she has had the opportunity to make a comprehensive review of the plans.

The concern of this tenant is that a form of three-card monte is under way with the claims that the proposed planned unit development will create new affordable housing for the neighborhood. Of course, the creation of 'affordable housing' is a popular political claim, but the question is whether this planned unit proposal will add or, in fact, decrease the number of units in the neighborhood. First, we need a clear definition of what is meant by affordable housing. It is the belief and understanding of this tenant that there are approximately 45 rent controlled units presently existing in the Dorchester House. The rents and rights of the tenants are set forth by law. Thus, keeping these rent controlled units as the landlord is required by cannot support a claim of affordable housing. I have heard of no plan to *increase* the number of units with rents at this level. The question then becomes whether the rents of the tenants in the approximately 350 units in the existing Dorchester House will be maintained at current levels. The plan appears to call for the displacement of current tenants while the landlord undertakes rehabilitation work. As I understand the existing law, the landlord could then raise the rents of the existing Dorchester House residents by substantial amounts, thus effectively forcing them to move for economic reasons. This applicant does not believe the landlord's plans for two bedroom plus den units in the proposed new building can substantial a claim of affordable housing. Thus, one of the landlord's justifications for the planned unit development is without merit as it would result in the substantial decrease in affordable housing. The planned unit development appears simply to be a means by which the landlord is attempting to turn the old units into luxury rents and to increase the number of luxury units that could be built under the existing zoning in the current parking lot area.

Question 4: Aside from the impact of dislocating several hundreds of low and moderate income tenants, the proposed planned unit development and proposed zoning change will markedly change the character and safety of 17th Street, a narrow and relatively quiet residential street. The Board is not unaware of the proposed Harris Teeter store and perhaps other commercial businesses on the adjacent property. The hazards of adding the cars of several hundred tenants in the proximate locality where large trucks will be loading and unloading are readily apparent. Street parking will be lost to the community as parking on both sides of the street is unlikely to continue. Traffic on Kalarama makes driving slow under current conditions. Pollution will increase from idling trucks and traffic jams. The peace and quiet that surrounding residents have known may well be destroyed as tempers flare and horns blast. The relative difference between the nature of 16th and 17th Streets is recognized by the current zoning. The landlord has not met his burden of justification for altering the limitations on the size of units fronting 17th Street.

Party Status Application of Carolyn A. Reed, Case No. 04-36
March 16, 2006

Question 5: The resulting rent increases will have the effect of depriving the tenant of the opportunity of living in a culturally and socially diverse environment. The density of the proposal will decrease the natural environment by necessitating the removal of 150 year old trees. The additional height allowed by making this application for a planned unit development will result in blocking sun and light for many in the neighborhood, including the existing tenants of the Dorchester House. The current zoning regulations recognize the need for different height restrictions in differing environments. The landlord has not put forth any countervailing justifications for decreasing the peace and quiet enjoyment of existing residents.

Question 6: The tenant stands the foreseeable risk of being driven from her home by the loss of rents reasonable and affordable for low and moderate income people.