

THE LAW
OFFICE OF MARTIN P. SULLIVAN1725 I Street, NW, Suite 300 | Washington, DC 20006 | P: 202.349.1136 | F: 888.318.2443 | marty@martinsullivanlaw.comRECEIVED
D.C. OFFICE OF ZONING

2010 NOV 25 PM 12: 09

November 25, 2009

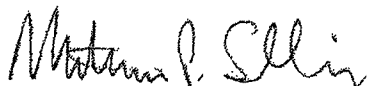
Zoning Commission
441 4th Street, NW
Suite 210
Washington, DC 20001

Re: Party Status Applications – Zoning Commission Case No. 09-03 (Skyland Town Center).

Dear Members of the Commission:

I represent four property owners residing on Fort Baker Drive, SE, and am filing these four party status applications on behalf of each of them. Also attached are authorization letters from each resident. These four resident owners have identical interests in the above-referenced case, and they are requesting that these party status applications, and their representation before the Zoning Commission, be considered together as one group. All four properties abut with the property that is the subject of Case No. 09-03, and all are more significantly, distinctively, and uniquely impacted by the Skyland Town Center proposal than is the general public. Thank you for consideration of these applications.

Sincerely,



Martin P. Sullivan

ZONING COMMISSION
District of ColumbiaCASE NO. 09-03
EXHIBIT NO. 29

Form 140 (Revised 05/01/08)	Case No. _____
PARTY STATUS APPLICATION	

Before completing this form, please review the instructions on the reverse side
Print or type all information unless otherwise indicated

NAME: Last Harris/Puckrein ADDRESS: Street 2929 Fort Baker Drive SE CITY: State: Zip Washington DC 20029 PHONE: Home 202-575-5452	NAME: Last Joanne/Gary ADDRESS: Street Washington DC 20029 PHONE: Home 202-575-5452	NAME: Last Joanne/Gary ADDRESS: Street Washington DC 20029 PHONE: Home 202-575-5452
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I, hereby request to appear and participate as a party.

Signature: Joanne Harris
 Date: 10-25-09

Will you appear as a(n) :

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



Opponent

Will you appear through legal counsel?



Yes



No

NAME: Last Sullivan ADDRESS: Street 1725 I (Eye) Street, NW CITY: State: Zip Washington DC 20006 PHONE: Home 202-349-1136	NAME: Last Martin ADDRESS: Street 300 Washington CITY: State: Zip Washington DC 20006 PHONE: Home 888-318-2443	NAME: Last P ADDRESS: Street Washington DC 20006 PHONE: Home 888-318-2443
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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 is the property owned or occupied by such person or in such area? Does the person have an interest in the action requested of the Board?

Party status applicants are the owner-occupants of a single-family dwelling on a lot that abuts the subject property, directly behind the area proposed to include Block 1, Block 4, and Block 5 on the Applicant's site plan. The large-format 150,000 sf + retail store will be approximately 80 feet from the Harris/Puckrein house.

2. What legal interest does the person have in the property? Is the person a tenant, owner, or other interest?

Owner

3. What is the distance between the person's property and the property that is the subject of the application? Before the Board? After the Board?

The two properties are adjoining.

4. What are the adverse impacts of the proposed action on the person's property if the action requested of the Board is approved or denied?

Granting the PUC Application will change the abutting and transfront R-5-S zone district to a C-3-A zone district, allowing the construction and use of a large building extremely close to the party applicant's single family home. It will result in significant environmental, economic, and social impacts, including among other things, water runoff, noise, loss of property value, and potential structural damage.

5. Discuss 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.

A previously wooded area will now have a 150,000+ building and other buildings that will dominate the party applicant's rear yard view on two sides, creating issues of noise, traffic, and shadow. Also, the construction process appears likely to cause considerable damage to the structural integrity of this home.

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.

For all the reasons stated above, and because the home abuts the subject property in an area that is likely to have the most impact on the adjacent residential neighborhood, Joanne and Gary, along with their three closest neighbors, are clearly more significantly, distinctively, and uniquely impacted than any surrounding neighbor, let alone the general public.

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PAGE 01

Joanne Harris and Gary Puckrein
2929 Fort Baker Drive SE
Washington, DC 20020

November 24, 2009

Zoning Commission
441 4th Street, NW
Suite 210
Washington, DC 20001

Re: Authorization Letter – Zoning Commission Case No. 09-03

Dear Members of the Commission:

We hereby authorize Martin P. Sullivan, a D.C. attorney, to represent us, with the specific power to bind us, in all proceedings before the District of Columbia Zoning Commission concerning the above-referenced case.

Sincerely,

A handwritten signature in black ink, appearing to be a stylized 'J' and 'G' combined, followed by a horizontal line.

For Joanne Harris and Gary Puckrein

Form 140 (Revised 05/01/08)		Case No. _____	
PARTY STATUS APPLICATION			
Before completing this form, please review the instructions on the reverse side. Print or type all information unless otherwise indicated.			
NAME: Last Cole		First Middle Ron and Cherise	
ADDRESS: Street 2933 Fort Baker Dr. SE		City Washington	State Zip Code DC 20020
Phone No. 202-581-1719		Fax No.	E-Mail ronald.cole@wachovia.com
I, hereby request to appear and participate as a party.		Signature <i>Ronald N. Cole</i> Date 10-25-09	
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 Sullivan		First Middle Martin P	
ADDRESS: Street 1725 I (Eye) Street, NW		City Washington	State Zip Code DC 20006
Phone No. 202-349-1136		Fax No. 888-318-2443	E-Mail marty@martinsullivanlaw.com
Please answer <u>all</u> 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? Party status applicants are the owner-occupants of a single-family dwelling on a lot that abuts the subject property, directly behind the area proposed to include Block 1, Block 4, and Block 5 on the Applicant's site plan.			
2). What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee) Owner			
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 200 ft.) The two properties are abutting.			
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? Granting the PUD Application will change the abutting, and transitional, R-6-A zone district to a C-3-A zone district, allowing the construction and use of a large building extremely close to the party applicant's single family home in the R-1-B zone district, resulting in significant environmental, economic, and social impacts, including, among other things, water runoff, noise, loss of property value, and potential structural damage.			
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. A previously wooded area will now have a 150sf+ building and other buildings that will dominate the party applicants' rear yard view on two sides, creating issues of noise, traffic, and shadow. Also, the construction process appears likely to cause considerable damage to the structural integrity of this home.			
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. For all the reasons stated above, and because the home abuts the subject property in an area that is likely to have the most impact on the adjacent residential neighborhood, Ron and Cherise Cole, along with their three closest neighbors, are clearly more significantly, distinctively, and uniquely impacted than any surrounding neighbor, let alone the general public.			

Ron and Cherise Cole
2933 Fort Baker Drive SE
Washington, DC 20020

November 24, 2009

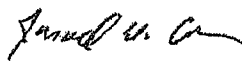
Zoning Commission
441 4th Street, NW
Suite 210
Washington, DC 20001

Re: Authorization Letter – Zoning Commission Case No. 09-03

Dear Members of the Commission:

We hereby authorize Martin P. Sullivan, a D.C. attorney, to represent us, with the specific power to bind us, in all proceedings before the District of Columbia Zoning Commission concerning the above-referenced case.

Sincerely,



For Ron and Cherise Cole

Form 140 (Revised 05/01/08)		Case No. _____	
PARTY STATUS APPLICATION			
Before completing this form, please review the instructions on the reverse side. Print or type all information unless otherwise indicated.			
NAME: Last Sibert		First Karen and Dennis	Middle I.
ADDRESS: Street 2937 Fort Baker Drive SE		City Washington	State DC Zip Code 20020
Phone No. 202-584-2202		Fax No. 	E-Mail karen@downtowndc.org
I, hereby request to appear and participate as a party.		<i>Karen Sibert</i> ^{Signature} 11/25/09 ^{Date}	
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 Sullivan		First Martin	Middle I. P
ADDRESS: Street 1725 I (Eye) Street, NW		City Washington	State DC Zip Code 20006
Phone No. 202-349-1136		Fax No. 888-318-2443	E-Mail marty@martinsullivanlaw.com
Please answer <u>all</u> 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?			
Party status applicants are the owner-occupants of a single-family dwelling on a lot that abuts the subject property, directly behind the area proposed to include Block 1, Block 4, and Block 5 on the Applicant's site plan.			
2). What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)			
Owner			
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 200 ft.)			
The two properties are abutting.			
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?			
Granting the PUD Application will change the abutting, and transitional, R-5-A zone district to a C-3-A zone district, allowing the construction and use of a large building extremely close to the party applicant's single family home in the R-1-B zone district, resulting in significant environmental, economic, and social impacts, including, among other things, water runoff, noise, loss of property value, and potential structural damage.			
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.			
A previously wooded area will now have a 150sf+ building and other buildings that will dominate the party applicants' rear yard view on two sides, creating issues of noise, traffic, and shadow. Also, the construction process appears likely to cause considerable damage to the structural integrity of this home.			
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.			
For all the reasons stated above, and because the home abuts the subject property in an area that is likely to have the most impact on the adjacent residential neighborhood, Karen and Dennis Sibert, along with their three closest neighbors, are clearly more significantly, distinctively, and uniquely impacted than any surrounding neighbor, let alone the general public.			

Form 140 (Revised 05/01/06)		Case No. _____	
PARTY STATUS APPLICATION			
Before completing this form, please review the instructions on the reverse side. Print or type all information unless otherwise indicated.			
NAME: Last		First Middle I.	
Brock-Smith		Cynthia	
ADDRESS: Street		Apt. # (if any) City State Zip Code	
2939 Fort Baker Drive SE		Washington DC 20020	
Phone No.		Fax No. E-Mail	
202-583-2736		CBrock-Smith@DCCOUNCIL.US	
I, hereby request to appear and participate as a party. <i>Cynthia Brock-Smith 11/24/09</i>			
Will you appear as a(n)		☐ Proponent ☒ Opponent	
		☒ If you appear through legal counsel ☐ Yes ☐ No	
If yes, please enter the name and address of such legal counsel.			
NAME: Last		First Middle I.	
Sullivan		P	
ADDRESS: Street		Apt. # (if any) City State Zip Code	
1725 I (Eye) Street, NW		300 Washington DC 20006	
Phone No.		Fax No. E-Mail	
202-349-1136		888-318-2443 marty@martinsullivanlaw.com	
Please answer all of the following questions referencing why the above person should be granted party status. (If you require additional paper, 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? Party status applicant is the owner-occupant of a single-family dwelling on a lot that abuts the subject property, directly behind the area proposed to include Block 1, Block 4, and Block 5 on the Applicant's site plan.			
2). What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee) Owner			
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 250ft.) The two properties are abutting.			
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? Granting the PUD Application will change the abutting, and transitional, R-8-A zone district to a C-3-A zone district, allowing the construction and use of a large building extremely close to the party applicant's single family home in the R-1-B zone district, resulting in significant environmental, economic, and social impacts, including, among other things, water runoff, noise, loss of property value, and potential structural damage.			
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. A previously wooded area will now have a 150sf+ building and other buildings that will dominate the party applicant's rear yard view on two sides, creating issues of noise, traffic, and shadow. Also, the construction process appears likely to cause considerable damage to the structural integrity of this home.			
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. For all the reasons stated above, and because the home abuts the subject property in an area that is likely to have the most impact on the adjacent residential neighborhood, Cynthia Brock-Smith, along with her three closest neighbors, is clearly more significantly, distinctively, and uniquely impacted than any surrounding neighbor, let alone the general public.			

Karen and Dennis Sibert
2937 Fort Baker Drive SE
Washington, DC 20020

November 24, 2009

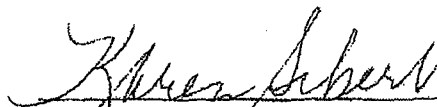
Zoning Commission
441 4th Street, NW
Suite 210
Washington, DC 20001

Re: Authorization Letter - Zoning Commission Case No. 09-03

Dear Members of the Commission:

We hereby authorize Martin P. Sullivan, a D.C. attorney, to represent us, with the specific power to bind us, in all proceedings before the District of Columbia Zoning Commission concerning the above-referenced case.

Sincerely,



For Karen and Dennis Sibert

Cynthia Brock-Smith
2939 Fort Baker Drive SE
Washington, DC 20020

November 24, 2009

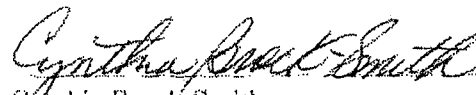
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Dear Members of the Commission:

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Sincerely,


Cynthia Brock-Smith

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Fax

To: Ms. Elaine Booth

From: Martin P. Sullivan

Fax: 12027276072

Pages: 10

Re: Zoning Commission Case 09-03

Date: Nov 25, 2009

Urgent

For Review

**Please
Comment**

Please Reply

**For
Information**

● **Comments:**

Please accept the attached filing in ZC Case No. 09-03.

Thanks!