GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

**December 7, 2000**

Ann F. Heuer., Chairperson
Advisory Neighborhood Commission 3D
Ernst Auditorium, Sibley Hospital
P.O. Box 40846
Washington, D.C. 20016

**Re: BZA Appeal No. 16588**

Dear Ms. Heuer:

This is to advise you that a public hearing has been scheduled by the Board of Zoning Adjustment to consider the following appeal which is located within the boundaries of your ANC area:

> **Appeal of Edward M. Potter**, pursuant to 11 DCMR 3100 and 3101, from the Administrative decision of Armando Lourenco, Acting Zoning Administrator, Building and Land Regulation Administration, Department of Consumer and Regulatory Affairs made approximately on December 7, 1999, to the effect that the construction of a garage complies with the Zoning Regulations. Appellant alleges that the construction of the garage does not conform to the Zoning Regulations and has caused severe damage to their property, destroyed portions of the shared driveway, and limited access to their driveway in an R-1-A District at premises 4900 Indian Lane, N.W. (Square 1512, Lot 33).

This hearing will be held on Tuesday, January 16, 2001, in Suite 220, 441 4th Street, N.W., Washington, D.C. 20001. This case is scheduled to be heard between 1:00 p.m. and 6:00 p.m. A formal notice of public hearing will appear in the D.C. Register.

You are advised that 11 DCMR Section 3115 sets out certain requirements related to reports of ANCs, and specifically that Section 3115 requires that the written report of the ANC be filed with the Board at least seven days in advance of the hearing. A copy of Section 3115.1 is enclosed.

Information on the procedures which will govern consideration of this case are available from the Office of Zoning, in Suite 210, 441 4th Street, N.W. Washington, D.C. 20001. The telephone number for the Office of Zoning is (202) 727-6311.



BZA
Case No. 16588
Exhibit No. 39

Board of Zoning Adjustment
District of Columbia
CASE NO.16588
EXHIBIT NO.39

If you wish to forward comments in writing directly to the Board, such comments should be addressed to the Board of Zoning Adjustment at 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.

**Sincerely,**

**JERRILY R. KRESS, FAIA**
**Director**

**Enclosure**

# Government of the District of Columbia
## BOARD OF ZONING ADJUSTMENT



**PARTY STATUS**

*(Excerpt From Title 11 DCMR Zoning Regulations)*

**3106 APPEARANCE AND REPRESENTATION**

**3106.1** In a proceeding before the Board, 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 before the Board.

**3106.2** Except for the appellant, applicant, or the ANC, to participate as a party in a proceeding before the Board, any affected person shall file with the Board, 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 appeal or application;
(d) Whether the person will appear through legal counsel and, if so, the name and address of the legal counsel; and
(e) 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 the person, or in which the person has an interest, that will be affected by the zoning relief requested of the Board;
    (2) The legal interest the person has in the property, such as owner, tenant, trustee, or mortgagee;
    (3) The distance between the person's property and the property that is the subject of the appeal or application before the Board;
    (4) The environmental, economic, social, or other impacts likely to affect the person and/or the person's property if the zoning relief requested of the Board is approved or denied; and
    (5) An explanation of how the person's interests as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning relief than those of other persons in the general public.

**3106.3** In considering any request for party status pursuant to §3106.2, the Board shall grant party status only if the person requesting party status has clearly demonstrated that the person's interests would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning relief than those of other persons in the general public.

**3106.4** No member of the Board or the Zoning Commission shall represent any person before the Board other than himself or herself while he or she is a member of the Board or the Zoning Commission.

**3106.5** No former member of the Board or the Zoning Commission shall represent any person before the Board other than himself or herself for a period of six (6) months after the date that the member's service on the Board of Zoning Commission terminates.

**3106.6** No former member of the Board or former employee of the Government of the District of Columbia shall represent any person other than himself or herself in a particular matter for which the member or employee had a substantial responsibility while he or she was a member of the Board or an employee of the District.