GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

July 27, 2000

Lawrence L. Thomas, Chairperson
Advisory Neighborhood Commission 2C
First & Pierce Streets, N.W.
Terrell Junior High School
Washington, D. C. 20001

Re: BZA Application No. 16596

Dear Mr. Thomas:

This is to advise you that a public hearing has been scheduled by the Board of Zoning Adjustment to consider the following application, which is located within the boundaries of ANC 6A, but in proximity to your ANC area:

> **Application of Mt. Vernon Development Group, L.P., and 500 H Street, L.P.**, pursuant to 11 DCMR 3103.2, for variances from Section 773 from the required recreation space and under Subsection 1705.3 from the retail/arts floor area ratio requirements to construct a high-rise 200-unit apartment building in a DD/C-2-C District at premises 770 5th Street, N.W. (Square 486, Lots 35, 818, 819, 821, 822, 823 and 827, and the east-west alley closed pursuant to D.C. Law 13-18).

This hearing will be held on Tuesday, September 19, 2000, in Suite 210, 441 4th Street, N.W., Washington, D. C. 20001. This case is scheduled to be heard between 9:30 a.m. and 12:00 p.m. A formal notice of public hearing will appear in the D.C. Register.

Individuals and organizations wishing party status in any case before the Board must request that status in writing not less than fourteen (14) days prior to the date set for the public hearing on the particular application. The request for party status must contain all the information required by 11 DCMR 3106.2. A copy of Section 3106.2 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. 16596
Exhibit No. 22

Board of Zoning Adjustment
District of Columbia
CASE NO.16596
EXHIBIT NO.22

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

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EXCERPT FROM TITLE 11 DCMR, "ZONING"

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 applicant, appellant 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 application or appeal;
(d) Whether the person will appear through legal counsel and, if so, the name and address of such 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 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.

3106.3 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.

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.