Form 140
(Revised 03/15/02)

Case No. 16924

PARTY STATUS APPLICATION

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

NAME: Last	First	Middle I.
Reed-Cooke Neighborhood Association		

ADDRESS: Street	Apt. # (if any)	City	State	Zip Code
P.O. Box 21700		Washington,	DC	20009-1700

Phone No.	Fax No.	E-Mail
(202) 234-6526		

I, hereby request to appear and participate as a party. Signature: TNQ Date: 11/22/02

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.
Susan Bennett, Supervising Attorney	Kevin DeTurris & Jennafer Neufeld, Community & Economic Development Law Clinic, WCL	

ADDRESS: Street	Ste. # (if any)	City	State	Zip Code
American University 4801 Massachusetts Avenue, NW		Washington,	DC	20016-8184

Phone No.	Fax No.	E-Mail
(202) 274-4147	(202) 274-0659	deturrisneufeld@hotmail.com

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?

See attachment.

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

See attachment.

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.)

See attachment.

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?

See attachment.

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.

See attachment.

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.

See attachment.

D.C. OFFICE OF ZONING RECEIVED 2002 NOV 26 PM 12:46

BZA
Case No. 16924
Exhibit No. 36

Board of Zoning Adjustment
District of Columbia
CASE NO.16924
EXHIBIT NO.36

Party Status Application

Attachment to Form 140
Case No. 16924
Application by Reed Cooke Neighborhood Association

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?

The Reed-Cooke Neighborhood Association ("RCNA") was created to protect the common interests of residents of the Reed-Cooke Neighborhood. Among these interests is upholding the integrity of the Reed-Cooke Overlay. The overlay was designed to protect current housing in the area, provide for the development of new housing while maintaining heights and densities at appropriate levels, and to protect nearby residences from damaging traffic, parking, environmental, social and aesthetic impacts. As the voice of the residents of the Reed-Cooke neighborhood, the RCNA requests to be heard in this matter.

The members of the RCNA have come to enjoy a quiet, intimate community atmosphere with a view of the Washington, DC skyline. This quiet, peaceful style of life is being jeopardized by the proliferation of recent expansion in the area. For the health of the Reed-Cooke neighborhood, development must be restricted to the matter of right limit whenever possible.

In this case the applicant's proposed project is a prime example of a developer ignoring the constraints of a neighborhood's infrastructure to maximize financial gain. This gain is at the expense of the current residents of the Reed-Cooke neighborhood. The proposed project will add more residents, more cars and more traffic than the area was zoned to handle. This boost in population is more than the zoning was designed to support, and will only increase the parking and traffic problems that currently exist in the Reed-Cooke and the greater Adams Morgan area. The RCNA members will bear the brunt of this consequence. It is they who will be forced to park further and further from their homes, it is they who will be overrun by traffic, and it is they who will have to face the negative affects of overcrowding.

In addition, several RCNA members will have their scenic views blocked if the building is built to the proposed height. A height variance will result in an unjust transfer of property value from current residents of the Reed-Cooke Neighborhood to the applicant. This will result in a significant loss of equity to the RCNA members.

Furthermore, the members of the RCNA fear the bulk and density of the building will have a negative effect on the immediate environment, as well as increase the stress on neighborhood utilities.

Finally, as homeowners in the Reed-Cooke Overlay District, many members of the RCNA attribute a percentage of the value of their homes to being able to rely on the integrity of the zoning laws. Members of the RCNA have purchased property in the area with the understanding that the municipal regulations in existence would be enforced. When developers are permitted to come into the neighborhood and design a project without having to adhere to the zoning regulations as they are written, the integrity and purpose of the regulations begin to erode. It is the purpose and goal of the RCNA to prevent this erosion.

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

The affected members of the RCNA are a combination of owners and tenants.

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?

RCNA has 34 members living within 200 feet of the proposed project. In addition, the RCNA has 207 active members that live within the Reed Cooke Overlay District, all of whom will be adversely affected by the increased traffic and the decrease of available parking, caused by the proposed project.

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?

As stated above, the proposed project will have a negative impact on the property values of many members of the RCNA. Several members will have their scenic views obstructed if the project is permitted to exceed the matter of right height limit of the Reed-Cooke Overlay.

Additionally, property values will be hurt by the reduction of available parking caused by the excess density attributable to the variance. Currently, it is nearly impossible to find parking after 7:00 P.M. in the Reed-Cooke neighborhood. Parking will become an even bigger problem than it already is if the project is constructed as proposed. This is yet another way the project will negatively affect the value of property in the neighborhood.

Furthermore, the additional burden on traffic attributable to the variance will have both negative economic and social impacts on the current residents of the Reed-Cooke area. Added traffic is more than just an inconvenience; it creates a dangerous nuisance for the many pedestrians and drivers in neighborhood. Plus, with more traffic comes undesirable additional noise, which the RCNA wishes to keep to a minimum by adhering to the Reed-Cooke Overlay.

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.

The RCNA feels that it is imperative that the Board take into account the cumulative affect of the numerous development projects presently in progress in the Reed-Cooke neighborhood when deciding whether to grant the requested variance. The proliferation of development in the Reed-Cooke area is exponentially affecting the problems previously discussed above. While the effect of any one variance may be small, granting variances to numerous projects will have a cumulative adverse affect on the members of the RCNA.

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.

As tenants and owners in the Reed-Cooke Overlay District, the members of the RCNA will be more affected by the impact of the requested variances than other persons of the general public. It is the member of the RCNA who rely on the Reed-Cooke overlay, and are most affected when it is not strictly upheld. In this case, if the requested variances are granted it is the members of the RCNA who will be forced to park further and further from their homes, it is the members of the RCNA who will be overrun by traffic, it is the members of the RCNA who will have to face the negative affects of overcrowding, and it is the members of the RCNA who will have their historic views of the DC skyline blocked by the added height attributable to the variances. Thus, the RCNA requests party status, in order to ensure the views of the Reed-Cooke residents are heard.

AMERICAN UNIVERSITY
WASHINGTON, DC

CLINICAL PROGRAM

RETAINER AGREEMENT

The Reed-Cooke Neighborhood Association retains the Community and Economic Development Law Clinic ("the Clinic") and its supervising attorneys to represent it and act as counsel for the purpose of opposing the variances and special exceptions requested for 1701 Kalorama Rd. N.W. This retainer agreement covers, and the representation is limited to, providing legal services and advice for the above stated purposes. The Clinic's representation may include legal services for activities other than those listed. However, such representation will occur only upon mutual agreement between the Reed-Cooke Neighborhood Association and the Clinic.

The Reed-Cooke Neighborhood Association may terminate the representation at any time, or expand it by agreement with the Clinic. The Reed-Cooke Neighborhood Association will be charged no fee for this representation, but will be responsible for paying any filing or reporting costs necessitated that are not waived by the appropriate agency.

The Clinic may withdraw if the Reed-Cooke Neighborhood Association insists that the attorneys engage in unlawful or unethical conduct; or if continued representation would result in a violation of the Rules of Professional Conduct; or if there is other good cause sufficient to justify withdrawal in accordance with the D.C. Rules of Professional Conduct. Additionally, the Clinic may terminate representation if the Reed-Cooke Neighborhood Association fails to maintain contact with it and to provide information essential to the completion of the matters outlined in the retainer.

The Reed-Cooke Neighborhood Association authorizes the supervising attorneys of the Clinic to assign its case to one or more law student interns working under their supervision. The law student(s) will perform all the activities necessary to the representation, including appearing on the client's behalf at the meetings, if necessary, and will be supervised by an attorney at each phase of the case.

Peter Lyden
Reed-Cook Neighborhood Association Representative

Peter Lyden 11/5/02
Signature and Date

Jennafer Neufeld
Printed Name of Clinic Representative

Jennafer Neufeld 11/5/02
Signature and Date

Kevin F. X. DeTurris
Printed Name of Clinic Representative

Kevin F. X. DeTurris 11/5/02
Signature and Date

SUSAN BENNETT
Printed Name of Clinic Representative

Susan Bennett 11/5/02
Signature and Date

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