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September 12, 2003 **VIA FACSIMILE**

Jerrily R. Kress, FAIA
Director, Office of Zoning
441 4th Street;, N.W.
Suite 210-S
Washington, D.C. 20001

Re: BZA No 16974

Dear Ms. Kress:

Included are the requisite number of copies of:

RIGHT TO TESTIFY AND PARTY STATUS

Very truly yours,

Ronald R. Snider
for 31st. St. Parties

BZA
Case No. 16974
Exhibit No. 137

Board of Zoning Adjustment
District of Columbia
CASE NO. 16974
EXHIBIT NO. 137

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Tudor Place Foundation, Inc. Application for Special Exception for Tudor Place at 1644 31st Street, and Dower House at 1670 31st Street, NW Square 1281, Lot 835	)	Application **No. 16974**

RIGHT TO TESTIFY AND PARTY STATUS

In the RESPONSE TO PARTY OPPONENTS' AUGUST 26,, 2003 TESTIMONY filed by applicant at page 2 it was stated in foot note 9 that counsel did not believe either Mr. Theis or Mrs. Snider could testify because they are not parties. The record shows otherwise as follows:

(1) The chairman at page on 4/15/2003 at page 13 ruled that everyone and anyone can testify regardless of party status (Page 13 attached)

(2) Mr. Theis, Mrs. Snider and Mr Wells all applied for party status (see applications attached).

(3) The chairman granted each party's application (see 4/15/2003 pages 26 and 27, copies attached. Other pages leading to the granting of the applications are also attached.

(4) The record shows that the paries are represented.

I hereby declare upon penalty of perjury that all of the above statements are true and correct to the best of my knowledge.

Ronald R. Snider
Date: 9/12/2003

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Tudor Place Foundation, Inc.	)	
Application for Special Exception for	)	
Tudor Place at 1644 31st Street, and	)	Application
Dower House at 1670 31st Street, NW	)	**No. 16974**
Square 1281, Lot 835	)	

CERTIFICATE OF SERVICE

I hereby certify that a copy of the **RIGHT TO TESTIFY AND PARTY STATUS** was served on September 12, 2003 upon:

Gordon C. Wilson
Hogan and Hartson
555 Thirteenth Street, N.W.
Washington, D.C. 20004-1109
By FaX 202-637-5910

Donald W. Crocket
3070 Q Street
By HAND

Norton Katz
1671 32nd Street, N.W.
By HAND

Ronald R. Snider
for 31st. St. Parties

CHAIRMAN GRIFFIS: Well, I can guarantee that will be the case.

MR. SNIDER: Very good.

CHAIRMAN GRIFFIS: But, it's also a matter of all of your time and the efficiency of this. You know, if we have eight parties and each party does cross examination, I can guarantee you we're going to be in this for about six months.

So, if there is some efficiency, and I can give you a couple of minutes to talk if people are so inclined to do that. I think, first of all, it creates a very efficient case before us.

This is not a court proceeding. This is a quasi-judicial public hearing and so we will look directly for the facts and the substance of things. So I think that can be done very efficiently and effectively by several people, not all, necessarily.

Now, the other important piece to talk about with party status is the fact that everyone and anyone can participate in the public hearing. You do not need to be granted party status in order to participate in this public hearing.

If you are here and you presented party status, or put in an application for party status, and just want to give testimony, that would be appropriate

PARTY STATUS APPLICATION

N e: See other side of party status form nstructions.

NAME: Last	First	Middle I.
Theis,	Richard P.	

ADDRESS: Street	Apt. # (if any)	City	State	Zip
3102 Q Street, NW		Washington,	DC	20007

Phone No.	Fax No.	E-Mail
202-307-0116	202-307-4652	rtheis@att.net

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

Will you appear as a(n) ☐ Proponent ☒ Opponent Will you appear through legal counsel ☐

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

Phone No.	Fax No.	E-Mail

Please answer all of the following questions referencing why the above person should be granted party s
(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

I am a co-owner of a home directly across the street from Tu Place. The noise from functions held at Tudor Place, especi those on the lawn, detracts from my quite enjoyment, as does of street parking when TP has events and tours.

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? (Pre farther than 200ft.) less than 75 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 reque Board is approved or denied? Allowing Tudor Place to host commercial events, private parties with up to 500 guests, and as many as two or evening events each week, converts my residential property i something like a business. The loss in value will be substa

5). Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Boar or denied. Today, street parking is very scarce. If Tudor Place is a to host events, even those with as few as 25 or 50 people, s parking will be impossible. Also, the congestion and noise ruin the quiet enjoyment of our home.

6). Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the p zoning action than that of other person's in the general public.

5/02)

Case No. 16977A

PARTY STATUS APPLICATION

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

NAME: Last	First	Middle I.
SNIDER	FRANCES	B

ADDRESS: Street	Apt. # (If any)	City	State	Zip Code
1607 31ST ST. N.W		WASH	D.C.	20007

Phone No.	Fax No.	E-Mail
202-337-3274	202-347-7870	FBSNIDER@AOL.COM

I hereby request to appear and participate as a party. Signature: Frances B. Snider Date: 1/29/03

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.
SNIDER	RONALD	R

ADDRESS: Street	Ste. # (If any)	City	State	Zip Code
1054 31ST ST. N.W	Suite 400	WASH.	D.C.	20007

Phone No.	Fax No.	E-Mail
202-347-2600	202-347-7870	SNIDERPATENT@YAHOO.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?
I LIVE ACROSS 31ST. ST. FROM TUDOR PLACE. EVENTS AT TUDOR PLACE CREATE NOISE, TRAFIC AND PARKING PROBLEMS WHICH ARE A NUISANCE.

RECEIVED
D.C. OFFICE OF ZONING
2003 JAN 30 PM 1:

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 200ft.) 40 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? NOISE AND TRAFIC FROM COMMERCIAL EVENTS EVEN WITH ADVANCE NOTICE) DETRACT FROM ENJOYMENT OF MY RESIDENCE. THE PARTY VENUE REQUESTED IS NOT IN CONFORMANCE WITH AN R-1 NEIGHBORHOOD

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. COMMERCIAL USE OF TUDOR PLACE WILL DISRUPT THE RESIDENTIAL ENJOYMENT OF MY PROPERTY AND DETRIMENTALLY DEPRECIATE ADJACENT PROPERTY VALUES

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.

THE NOISE FROM A 21 PIECE SWING BAND 300 FEET FROM MY BEDROOM INTERFERES WITH SLEEP. THE NOISE ALSO INTERFERES WITH TELEVISION, READING AND ENJOYMENT OF MY BACK YARD

WITNESSES: RICHARD THEISS, DONALD CRICKET, RONALD SNIDER

Form 140
(Revised 03/15/02)

Case No. 16977

PARTY STATUS APPLICATION

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

NAME: Last	First	Middle I.
Wells	Stephen	E.

ADDRESS: Street	Apt. # (if any)	City	State	Zip Code
1677 31st St., NW		Washington	DC	20007

Phone No.	Fax No.	E-Mail
202/333-1426	202/333-1458	swells@mwe.com

I hereby request to appear and participate as a party. Signature: Stephen E. Wells Date: 3/26/03

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.
SNIDER	RONALD	R

ADDRESS: Street	Ste. # (if any)	City	State	Zip Code
1054 31st. St. N.W.	Ste 400	WASH. D.C.		20007

Phone No.	Fax No.	E-Mail
202-347-2600	202-347-7870	SNIDERPATENT@yahoo.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?

I live across the street from Dower House.

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 200ft.)

less than 200 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?

Noise, parking problems, etc.

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 request is extraordinarily broad; not in keeping with a residential neighborhood.

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.

I live across the street on 31st Street, NW.

Exh 57

let's call the case.

MS. BAILEY: Application Number 16974 of Tudor Place Foundation, Inc., pursuant to 11 DCMR 3104.1, for a special exception to continue the operation of a museum by a non-profit organization.

The application was last approved by BZA Order Number 16477 and it was dated January 14th, 2000. The application is under Section 217. It's located in the R-1B District.

The premises, 1644 31st Street, N.W., and 1617 31st Street, N.W. It also located in Square 1281 on Lots 827 and 830. All those persons wishing to testify, would you please stand to take the oath. Please raise your right hand.

(All witnesses sworn.)

CHAIRMAN GRIFFIS: Excellent. Okay. First of all, we have, and Board members, if you would follow with me and correct me if I'm missing any. And I would ask for people present today, if I missed your name.

But I have request for party status in my notes by a Lee Morris, which is Exhibit No. 56. A Stephen Wells, which is Exhibit No. 57. Frances Snider, Exhibit 33, and Ronald Snider, I believe, may be part of that in Exhibit 30.

Don W. Crockett, Exhibit 32 and 45. And Norton Katz, Exhibit No. 31. Richard P. Theis, I hope I said that correctly, Exhibit 29 and 45. Are we noting any, Board members, anything I am missing?

I, my understanding is Wells and Morris are going to be represented by Mr. Snider. Is that correct, Mr. Snider?

MR. SNIDER: That is correct. Mr. Wells will also be testifying since he's here today.

CHAIRMAN GRIFFIS: How does that work? You're going to call him as a witness?

MR. SNIDER: I will call him as a witness?

CHAIRMAN GRIFFIS: Okay.

MR. SNIDER: He knows his case better than I do, his problems.

CHAIRMAN GRIFFIS: Indeed. Okay, should we take them from the top. First of all, I don't know if any or maybe all of you are familiar, as you filled out your party status application, of course that's exactly what we're looking at is how you satisfy the requirements for that.

Number 6 on that application for party status states how you, as the filler of the application, how your interests would be more significantly, distinctly or uniquely affected in

the address is 1644 31st Street.

CHAIRMAN GRIFFIS: And?

MR. VON SALZEN: Eric von Salzen from the law firm of Hogan and Hartson, Counsel for Tudor Place, 555 13th Street, N.W.

CHAIRMAN GRIFFIS: Von Salzen?

MR. VON SALZEN: Von Salzen, correct.

CHAIRMAN GRIFFIS: Good.

MR. WILSON: I'm Gordon Wilson, also of the law firm of Hogan and Hartson representing Tudor Place, 555 13th Street, N.W.

CHAIRMAN GRIFFIS: Okay, Mr. Wilson. Who is going to speak to the party's status. I'm going to ask you whether there are any objections to granting the party status to the Morris/Wells party, represented by Mr. Snider. Is there any objection by the representative of the Applicant?

MR. VON SALZEN: There is no objection.

CHAIRMAN GRIFFIS: Very well. Board members?

MS. MITTEN: I just want to make a general statement, Mr. Chairman. Which is I think the way that the requests for party status have been evaluated in the past, particularly when you have a number of people that have the same, I mean each one, because of

So, I'm assuming that you are, and you can just tell me if your objection to this joining with the 32nd Street party.

We have the application then from the Q Street party, represented by Mr. Crockett. And the 32nd Street party which will be Norton Katz. And Theis, did you say, Richard and Roberta, is that how you pronounce it?

MR. CROCKETT: It's pronounced Tice.

CHAIRMAN GRIFFIS: Tice? Tice, very well. I will not get that right always. Tice. And Mr. Crockett, you indicated that you would be working with them on Q Street party?

MR. CROCKETT: Right.

CHAIRMAN GRIFFIS: Excellent. That sounds very efficient and effective. Let's take it up, Board members. I think we have clearly heard that there is some consolidating on these party matters.

That does not, of course, go to the granting of party status, but I believe that the party's applications that have come in have evidenced uniqueness in terms of numerous issues.

I think that each application is actually substantiated and enforced with the fact that each of the parties are looking at several unique issues, all

of which relate to the zoning and the zoning application.

I would like to take them up all together. We have the party for 32nd, Q, and 31st Street. Is there any concerns to the Board that they would like to share with me at this time?

MR. ETHERLY: I have no objection to the manner in which you have laid out how we deal with party status, Mr. Chairman. I think the conversation regarding the need for as much clarity and specificity and absence of duplication will be something that we will all do very well to keep in mind as we proceed through the case, Mr. Chairman.

CHAIRMAN GRIFFIS: Excellent.

MR. ETHERLY: With that I'm prepared to move forward.

CHAIRMAN GRIFFIS: Thank you very much. And just to fill out my information, does the Applicant's representative have any objection to the party status requests on any of them and how we have actually looked to create the three parties in standing?

MR. VON SALZEN: No objection.

CHAIRMAN GRIFFIS: Excellent. Any comments from the Board?