Form 140
(Revised 03/15/02)

Case No. 17043

PARTY STATUS APPLICATION

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

NAME: Last	First	Middle I.
ADVISORY NEIGHBORHOOD COMMISSION 6A		

ADDRESS: Street	Apt. # (if any)	City	State	Zip Code
PO BOX 75115		WASHINGTON	DC	20013

Phone No.	Fax No.	E-Mail
202-423-8868	N/A	N/A

I, hereby request to appear and participate as a party. Signature: Joseph Fengler Date: 6/12/03

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.

ADDRESS: Street	Ste. # (if any)	City	State	Zip Code

Phone No.	Fax No.	E-Mail

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?
ACTION AFFECTS AVAILABILITY OF PARKING TO RESIDENTS REPRESENTED BY ANC 6A.

2). What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)
NONE, ALTHOUGH ANC 6A REPRESENTS RESIDENTS WHO ARE OWNERS AND TENANTS OF PROPERTY AFFECTED.

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.) ∠200 ft

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?
IF DENIED, AVAILABILITY OF PARKING TO RESIDENTS WILL BE REDUCED. ALREADY PARKING IS IN HIGH DEMAND, ESPECIALLY IN EVENING AND NIGHT AFTER RESIDENTIAL PERMIT PARKING HOURS. SEE ALSO ATTACHED.

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 ATTACHED.

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.
PARKING AVAILABILITY DEPENDS TO A SIGNIFICANT EXTENT IN THE UNIQUE LOCAL CONDITIONS. ANC 6A REPRESENTS RESIDENTS OF AN AREA ADJACENT TO THE SUBJECT PROPERTY WHO WILL BE MORE AFFECTED THAN THE GENERAL PUBLIC.

BZA
Case No. 17043
Exhibit No. 22

Board of Zoning Adjustment
District of Columbia
CASE NO. 17043
EXHIBIT NO. 22

District Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013

June 12, 2003

Government of the District of Columbia
Board of Zoning Adjustment
441 4th St NW, Suite 210
Washington, DC 20001

RECEIVED
D.C. OFFICE OF ZONING
2003 JUN 13 AM 11:30

Re: BZA Case 17043 (708 Massachusetts Avenue, NE; a.k.a. 708 Constitution Avenue, NE)

Dear Board Members,

At its regularly scheduled and properly noticed meeting on June 12, 2003, ANC 6A voted unanimously (7-0-0 with 5 Commissioners required for a quorum) to seek party status in the above referenced case to represent the interests of residents of ANC 6A by supporting the appeal filed by the Stanton Park Neighborhood Association.

The subject property is located in ANC 6C on square 895. This square is immediately across 8th Street, NE which serves as a boundary between ANCs 6A and 6C. Although the property now falls within ANC 6C, until a recent redistricting it was located in ANC 6A. The residents of ANC 6A continue to be affected by the demand for street parking generated by the property along residential streets within ANC 6A. Evening and night parking in the surrounding area is in high demand, creating hardships and safety concerns for residents who must walk long distances after prolonged searches for legal street parking.

As stated in the appeal, the Zoning Administrator's issuance of Certificates of Occupancy 51289 and 51290 on March 26, 2003 does not comport with 11 DCMR 2101.1, which requires BZA to determine parking requirements for Community Based Residential Facilities housing 16 or more persons in a residential district. The Zoning Administrator's administrative action also disregards BZA's prior determinations regarding parking for this property, as well as previous input from the community on the need for adequate on-site parking to accommodate staff and visitors. In 1991, BZA required 176 parking spaces for 130 beds and 250 employees per BZA 15542. In 1999, BZA required 276 parking spaces for 162 beds and 340 employees per BZA 16407. Under the recently issued Certificates of Occupancy, only 85 spaces are required for 177 beds and over 300 employees.

To remedy the situation, BZA should revoke the Certificates of Occupancy because they were issued in error and apply the existing BZA orders which determine the adequacy of parking for the property. If the property owner desires a reclassification of all or part the facility as a CBRF, the owner should appeal to BZA for a determination of parking requirements as required by the zoning regulations. This would provide a transparent process and an opportunity for a public discussion of the extent to which reducing the required parking spaces will have an adverse impact on the surrounding residential areas.

ANC 6A Commissioner Cody Rice is authorized to represent ANC 6A in this matter. If you have questions or need further information, please contact Commissioner Rice at 544-3734.

Respectfully yours,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

cc: Councilmember Sharon Ambrose
Gottlieb Simon, Executive Director; Office of the Advisory Neighborhood Commissions
Bob Morris, Chair; ANC 6C Zoning Committee