

### FORM 140 - PARTY STATUS REQUEST

Before completing this form, please go to [www.dcoz.dc.gov](http://www.dcoz.dc.gov) > IZIS > Participating in an Existing Case > Party Status Request for instructions. Print or type all information unless otherwise indicated. All information must be completely filled out.

PLEASE NOTE: YOU ARE NOT REQUIRED TO COMPLETE THIS FORM IF YOU SIMPLY WISH TO TESTIFY AT THE HEARING. COMPLETE THIS FORM ONLY IF YOU WISH TO BE A PARTY IN THIS CASE.

Pursuant to 11 DCMR Subtitle Y § 404.1 or Subtitle Z § 404.1, a request is hereby made, the details of which are as follows:

|              |   |         |                           |
|--------------|---|---------|---------------------------|
| Name:        | Donna Murphy and Keenan Keller            |         |                           |
| Address:     | 1750 Monroe St., NW, Washington, DC 20010 |         |                           |
| Phone No(s): | 202-367-1776<br>202-262-2460              | E-Mail: | murphy.keller@verizon.net |

I hereby request to appear and participate as a party in Case No.: 19614

|            |   |       |          |
|------------|---|-------|----------|
| Signature: |  | Date: | 11/15/17 |
|------------|---|-------|----------|

|                         |                                    |  |  |                              |  |
|-------------------------|------------------------------------|--|--|------------------------------|--|
| Will you appear as a(n) | <input type="checkbox"/> Proponent | <input checked="" type="checkbox"/> Opponent | Will you appear through legal counsel? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
|-------------------------|------------------------------------|--|--|------------------------------|--|

If yes, please enter the name and address of such legal counsel.

|              |  |         |  |
|--------------|--|---------|--|
| Name:        |  |         |  |
| Address:     |  |         |  |
| Phone No(s): |  | E-Mail: |  |

ADVANCED PARTY STATUS CONSIDERATION PURSUANT TO: Subtitle Y § 404.3/Subtitle Z § 404.3:

I hereby request advance Party Status consideration at the public meetings scheduled for: 11/29/17

**PARTY WITNESS INFORMATION:**

On a separate piece of paper, please provide the following witness information:

1. A list of witnesses who will testify on the party's behalf; see attached
2. A summary of the testimony of each witness;
3. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts; and
4. The total amount of time being requested to present your case.

**PARTY STATUS CRITERIA:**

Please answer all of the following questions referencing why the above entity should be granted party status:

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 Commission/Board? see attached
2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)
3. What is the distance between the person's property and the property that is the subject of the application before the Commission/Board? (Preferably no farther than 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 Commission/Board is approved or denied?
5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied.
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 persons in the general public.

**DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT  
Party Status Request by Donna Murphy and Keenan Keller  
in Opposition to Application for Variance Relief (Case # 19614)  
1844 Monroe Street, N.W.; Square 2614, A&T Lot 849, Record Lot 38**

**Party Witness Information**

1. A list of witnesses who will testify on the party's behalf:

**The party applicants may call the following witnesses: Keenan Keller, Donna Murphy, Faye Armstrong, Jennifer Salaj, Mary Gillis, Vedester Ingram, a representative of the Cleveland Park Historical Society, and any persons identified in the documents filed by the Applicant. We plan to cross-examine witnesses for the applicant, including but not limited to the architect(s) who prepared the submitted drawings and the shadow study.**

**We also plan to introduce a statement in opposition to the Application for Variance Relief and documentary evidence, including but not limited to a tree study, photographs of the relevant properties, opposition statements from other neighbors, and documents from (and correspondence with) the HPRB.**

2. A summary of the testimony of each witness:

**Mary Gillis and/or Vedester Ingram may testify regarding the original house at 1842-44 Monroe Street, NW; the lack of any good faith consultation with neighbors by the Appellants; and the lack of any consistency between the Appellants planned building designs and the neighboring houses.**

**Faye Armstrong, Historic Mount Pleasant, may testify regarding the lack of any good faith consultation with HMP by the Appellants, and the lack of any consistency between the Appellants planned building designs and the surrounding historic neighborhood.**

**Donna Murphy and/or Keenan Keller will testify regarding the harms that they would suffer from a reversal of the ZA's determination that a side yard is required for 1844 Monroe Street, NW; the lack of any good faith consultation with neighbors by the Appellants; and the lack of any consistency between the Appellants planned building designs and the neighboring houses.**

**Jennifer Smith Salaj, Certified Arborist, Branches Tree Experts, may testify as an expert witness regarding the historic ash tree located immediately adjacent to 1842 Monroe Street NW, and how it is protected as a special tree during construction under DC law.**

**A representative from the Cleveland Park Historical Society may testify regarding the safety concerns related to the collapse of a historical home in Cleveland Park, when it was undergoing renovation by the Applicant/developer in this case.**

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**Persons identified in the documents filed by the Applicant may testify regarding the assertions and evidence put forward by the Applicant in this case.**

3. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts; and

**Jennifer Smith Salaj, Certified Arborist, Branches Tree Experts, may testify as an expert witness regarding the historic ash tree located immediately adjacent to 1842 Monroe Street NW, and how it is protected as a special tree during construction under DC law.**

**Ms. Salaj earned a Bachelor of Arts in Economics from St. Mary's College of Maryland and an MBA from the Mason School of Business at the College of William and Mary. She joined Branches Tree Experts in 2013 and recently became an ISA Certified Arborist. Her focus is on Arborist Consulting: Tree Inventory Management, Tree Protection, Tree Risk Assessment, and Tree Appraisal.**

4. The total amount of time being requested to present your case:

**We are requesting 1 hour to present our case.**

***Party Status Criteria***

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 Commission/Board?  
**The issue in this matter is whether to grant a variance from the side yard requirement for 1844 Monroe Street, NW. Party applicants Donna Murphy and Keenan Keller are co-owners of 1850 Monroe Street, NW, which immediately abuts the required side yard for 1844 Monroe Street, NW.**
2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)  
**Donna Murphy and Keenan Keller are the co-owners of 1850 Monroe Street, NW.**
3. What is the distance between the person's property and the property that is the subject of the application before the Commission/Board? (Preferably no farther than 200ft.)  
**0 feet (immediately adjacent).**
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 Commission/Board is approved or denied?  
**The applicants for Party status (Donna Murphy and Keenan Keller) will suffer a variety of negative impacts if the requested variance is granted (case #19614), or if the decision of the**

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**Zoning Administrator is overturned (appeal in case #19613). Our ability to use and enjoy the side yard of our own property will be significantly diminished including through loss of light, air space and existing plantings; we will suffer immediate economic harm, due to the need to repair or replace likely damage to our existing fences, buildings, plants and trees; and the overall economic value of our property will be decreased if Appellants are allowed to bypass the side yard requirement and are permitted to build the proposed three story, historically non-conforming building right up to the property line of our home, which is listed on the National Register of Historic Places.**

5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied.  
**If the Zoning Administrator is reversed and Appellants are permitted to build up to the property line with no side yard, a historic ash tree of nearly 100 inches diameter will likely be destroyed, thus diminishing the party applicants' use and enjoyment of their property, decreasing their property's value and in violation of the DC regulation protecting special and heritage trees.**
  
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 persons in the general public.  
**As co-owners of 1850 Monroe Street, NW - the home up to which property line Appellants seek to build their 35 foot brick wall in contravention of the side yard requirement – we will be uniquely affected if the requested variance or appeal is granted, and we stand to suffer the unique environmental, economic and social harms described above.**