



BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA



FORM 140 - PARTY STATUS REQUEST

Before completing this form, please go to 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:	Carl Balit		
Address:	1700 Hobart St NW		
Phone No(s):	202-321-6397	E Mail:	carlbalit@gmail.com
I hereby request to appear and participate as a party in Case No.:		19629	
Signature:		Date:	October 12, 2017
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:

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;
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?
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.

Carl Balit, as a co-owner of 1700 Hobart St NW, is requesting Party status in this case on behalf of himself and the second co-owner, Emily Wei.

Party Witness Information:

- 1. A list of witnesses who will testify on the party's behalf;**

Emily Wei and Carl Balit, owners of 1700 Hobart Street, NW

- 2. A summary of the testimony of each witness;**

Issues of privacy, safety, character of neighborhood, and property value are at stake should the variance be granted.

- 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**

No expert witnesses

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

10 minutes

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 proposed carriage house would be the first such structure to be built between Harvard and Hobart Streets, and as such, if granted, it will both have an immediate negative impact on the community and set a precedent for future structures.

In this case, the height, size, and location of the proposed structure would seriously impact the privacy, access to private garages, and the safety of a short cut to Adams Morgan.

As a precedent, the proposed structure has the potential to lead to a radical change in the character of the neighborhood, which is beloved by its current residents.

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

Owners

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.)

Our home is located approximately 50 feet, and directly across from the property in question.

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?

If approved:

- (i) **Privacy:** Building a 2 story structure with a roof deck would have serious implications for our privacy. The proposed structure would have a line of sight into our basement and first floors. While we have the benefit of having a small tree to protect privacy, that effect of the tree is nil in the autumn and winter when it loses its leaves.
- (ii) **Financial implications:** When we purchased our home, we assigned a significant premium to the house's privacy and views. The proposed structure would have a negative impact on both these factors and therefore we believe that it could materially impair the value of our home.
- (iii) **Setting a precedent:** Allowing this project to go forward would set a precedent that could forever change the character of this neighborhood. We believe that changing that character is neither in the general public interest, nor in the interest of those who have specifically chosen to make a significant financial, social, and lifestyle investment in this neighborhood.
- (iv) **Noise-level:** Having a roof deck as well as a second story so close to our home would have an impact on our lifestyle. Roof deck parties for example would disturb our young kids, who sleep directly opposite the proposed structure.
- (v) **Access to a proposed parking pad:** Now that we have two children, we have been considering building a parking pad to facilitate access to our home. The proposed structure would make it difficult for us to pull into such a parking pad. Parking is already difficult due to the narrowness of the alley.
- (vi) **Safety:** The proposed carriage house will reduce safety along the public pass through to Harvard Street and thereby affect everyone who uses this high traffic walkway. The proposed structure clearly makes the use of the adjacent public pass through more dangerous.
- (vii) **The owners are absentee landlords:** The owners are not impacted by the proposed structure other than through a potentially significant return on their investment. By contrast, the rest of the neighborhood will be forced to

live with the negative current and potential future impacts of the proposed structure.

- (viii) **Other:** The construction will impact alley access for a long period of time and could also impact the soundness of adjacent structures.

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.

Please see above.

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.

We live directly across the proposed structure and therefore we would be particularly impacted in several ways including with regards to: privacy, the desirability of our home, access to our property, the views from our home, and the character of our outdoor space. The negative consequences of the proposed structure that are listed above will likely also damage the value of our home.