



**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: _____

Address: _____

Phone No(s).: _____ E Mail: _____

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

Signature: *Victor Tinsco & Lauren Yamagata* Date: _____

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: _____

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 ~~by the proposed~~ zoning action than that of other persons in the general public.

Booked by the Proponent
District of Columbia
CASE NO.19629
EXHIBIT NO.48

BZA Case 19629 – Request for Party Status

Party Witness Information:

1. List of witnesses who will testify on party's behalf

Victor Tineo/Lauren Yamagata, owners of 1701 Harvard ST, NW

2. Summary of testimony of each witness

We oppose granting the zoning variance to build the proposed structure for several reasons:

- The proposed construction would be built right at the edge of the alleyway leaving a dangerous path for pedestrians with no ability for egress when there is oncoming traffic in both directions.
- At two stories, the proposed carriage house is imposing and will have an adverse effect on light, airflow, and privacy thereby decreasing our enjoyment of our house and the resale/market value of our home. The proposed construction is immediately adjacent to the lot location, which sits in a corner of our backyard.
- The noise and inconvenience of the construction will have a negative impact on our neighborhood for many months: the alley and the pass-through from the alley to Harvard Street will be obstructed.
- Once constructed, the proposed carriage house will affect sight-lines to and lighting of the pass-through, reducing the safety of those who use it. It will also impinge on neighbors' privacy due to the height of the structure, which would permit viewing directly into neighbors' yards.
- The proposed structure will compress an already narrow alley by reducing the space for cars, pedestrians and animals to pass one another on the alley, causing further traffic when cars meet in opposite directions.
- During winter months, the proposed structure will block sunlight that would otherwise melt snow and ice. Because the alley is not plowed by the city, this increases the work that neighbors must undertake to clear this safety hazard.

3. Indication of which are expert witnesses, areas of expertise, resumes/qualifications

No expert witnesses at this time

4. Total amount of time for case

We request 20 minutes of speaking time to make 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?

We live at, and are the owners of, 1701 Harvard Street, NW – Sqr 2588 Lot 826. The proposal concerns the land at Sqr 2588 Lot 827, which is located on the northeast corner of our lot. The lot is separated from the main property owned by Tim and Charlotte Lawrence who own 1665 Harvard ST, NW – Sqr 2591 Lot 1028 – by a staircase passage that runs between Harvard Street and the alley that runs between Harvard and Hobart Streets.

The proposed carriage house will have an adverse effect on the light, airflow, privacy and our overall enjoyment of our house and backyard, which is immediately adjacent to the lot location as it sits in a corner of our backyard. It will also reduce the market/resale value of our home given its imposing size and the negative effects on light, privacy, etc. previously mentioned.

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

We live at and own 1701 Harvard Street.

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.)

It is approximately 17 feet from the back wall of our house to the lot on which the proposed structure is to be built. The lot proposed lot is inches away from our backyard.

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, the proposed structure would have a negative economic impact to the value of our property. The proposed structure is visibly imposing and would reduce privacy in our backyard and bedroom. These negative effects would lead to a significant decline in the resale/market value of our home. We would not have purchased the home at the price we did, a mere 7 months ago, if such a building were constructed.

It would also have several negative social impacts, most notably making it dangerous to navigate the alleyway by foot or by car. The proposed structure would be built up to the edge of the alleyway making walking along it much riskier by leaving no room for egress when pedestrians confront oncoming traffic in both directions.

With no buffer between the alley and the building there will be no location for trashcans except for immediately on the alley itself. This will lead to blockages that further increase risks for pedestrians as sightlines and space for automobiles decrease on an already narrow and congested alleyway. As it is, the narrowness of the alley causes cars to frequently clip trashcans, sometimes ones that are located in their rightful spaces. The proposed carriage house would exacerbate this difficult situation.

The proposed plans would also be a detriment to the surrounding environment. The proposed construction abuts our property lines on the south and west sides of the property and would decrease sun light exposure and airflow into the mature garden that has grown in our back yard since 1979. In addition, the construction required to build a home on a lot that is "off-the-grid", i.e. a lot that is not connected to sewer lines, electrical lines, cable lines and the like, would be a protracted undertaking of many months of digging up the ground that would spill dust and debris into the air worsening air-quality.

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 approved, it will create a zoning precedent that we believe will negatively affect the historic character of our neighborhood. There are currently no two story solid structures on our alleyway (only some garages with fenced roof decks on top), and in particular, there are no solid structures on the alley behind the row of Harvard Hill homes (our house at 1701 is the on the eastern edge of a row of historic efficiency style row houses developed in the 1940s).

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 are uniquely affected as this lot sits in a back corner of our lot and would thus have a direct negative impact on the light, airflow, privacy, and overall enjoyment of our home. It would also decrease the market value of our home. The proposal concerns the land at Sqr 2588 Lot 827, which is located on the northeast corner of our lot (1701 Harvard is located at Sqr 2888 Lot 826). The lot is separated from the main property owned by the applicants, Tim and Charlotte Lawrence who own 1665 Harvard ST, NW – Sqr 2591 Lot 1028 – by a staircase passage that runs between Harvard Street and the alley that runs between Harvard and Hobart Streets