



**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:	christiane frischmuth		
Address:	1702 hobart street nw		
Phone No(s):	2022853476	E Mail:	christiane@gfconsulting.org

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

Signature:		Date:	March 17 2018
------------	--	-------	---------------

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.

Christiane Frischmuth, Party Status Criteria for Case #19629

Party Witness Information

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

Christiane Frischmuth, owner of the house at 1702 Hobart Street NW, Washington DC.

Other Hobart Street and Harvard Street neighbors whose houses are adjacent to the lot on which the proposed structure is to be built.

2. A summary of the testimony of each witness.

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

- 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 become impassable.
- Once constructed, the proposed structure will affect sight-lines to and lighting of the pass-through, reducing the safety of those who use it.
- The proposed structure will constrict an already narrow alley by reducing the space for cars, pedestrians and animals to pass one another on the alley.
- 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.
- Granting of variances is not required for the intended use
- It would set a precedent that will change the structure of the neighborhood for the worse, increasing barriers and congestion.
- I do not believe that the proposed structure is the final intent, given the history of the owners with this community and this process.

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 witnesses.

No expert witnesses at this time.

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?

I live at 1702 Hobart Street NW, which is accessible from the alley that runs between Hobart and Harvard Streets NW.

It would create difficulty in entering and exiting from the garage, as the alley is only about 13 feet wide and the turning radius is tight for a car (a 2012 Infiniti M35; 16' length X 5.91' wide which currently uses the garage). Because the alley is narrow, cars and waste collection trucks are often blocked by vehicles either parked temporarily in the alley or coming from the other direction; it helps to have open space to pull to the side so that others can pass.

The alley is not plowed by the city, so neighbors on Hobart and Harvard Streets work together to clear snow and ice after storms. It can be challenging; I've used a mountaineering axe to break up the ice

following especially severe storms. Direct sunlight speeds this process significantly and reduces the risk of damage to cars, people and pets. The height of fences on both sides of the alley to the east of my house block sunlight and it takes significantly longer to clear snow and ice for that section.

Finally, I (and many other neighbors) use the pass-through from the alley to reach Harvard Street on foot; it shortens the distance dramatically between houses on Hobart Street and Harvard Street (particularly the bus stop near the bottom of the pass-through). The presence of a structure would completely block sight-lines to the pass-through and reduce the amount of light available to those using the pass-through. Because it is already narrow and secluded, reducing the pass-through's visibility from the alley would make it less safe to use. It would become much easier for someone to hide between the fences along the path and attack people on the pass-through or even those of us exiting our cars nearby. Moreover, the pass-through has several narrow stone steps that currently are illuminated only by daylight. An additional structure that blocks sunlight to these steps would reduce visibility and make traversing these steps even more treacherous.

As stated in my letter of opposition, the precedents of interaction and behavior of the applicant makes it highly suggestive to me that the design that has been changed numerous times, often at the last minute, and is now on file is only a means to remove the zoning obstacle to the originally filed structure – a larger and 2 story structure.

2. What legal interest does the person have in the property?

I own the house at 1702 Hobart 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?

It is only 13 feet (the width of the alley) from the garage and the deck that belongs to my home.

4. What are the environmental, economic, or social impacts that are likely to affect the person or the person's property if the action requested of the Commission/Board is approved or denied?

Please see responses to Question 1 above.

5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested by the Commission/Board is approved or denied.

If the BZA denies the variance, it would preserve access to, and reasonable security and safety for, pedestrians in the north-south alley between Harvard and Hobart Streets, and main east-west alley between the two streets. It would ensure that no precedent is set that could allow construction of similar structures out to the northern property line in the future, and thereby negatively impair the privacy and garage egress of Hobart Street residents across the alley. The less visibility, the less safe, the less ability to care and watch out for each other.. The less safe, the less desirable and community based the neighborhood.

Conversely, if the BZA grants the variance, it will permanently reduce the safety and security of cars, pedestrians, and animals in the public alley, and create a zoning precedent that I believe will negatively affect our enjoyment of our properties and 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 persons in the general public.

Problems with winter ice in the alley directly behind my house and garage are difficult – even more difficult for a diverse population.