



**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:	Shelby and Adam Telle		
Address:	1265 Penn Street NE, Washington, DC 20002		
Phone No(s):	727-656-0401	E Mail:	shelbytelle@gmail.com
I hereby request to appear and participate as a party in Case No.:	19818		
Signature:		Date:	9/18/18
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.

Attachment-
FORM 140 - PARTY STATUS REQUEST

Case 19818

Attachment for Shelby and Adam Telle

Request to Join as Party Against the Zoning Decision

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;

Shelby and/or Adam Telle as the next-door neighbors to the construction.

2. A summary of the testimony of each witness (Zoning Commission only);

Shelby and/or Adam Telle will testify as the next-door neighbor to the construction at 1267 Penn Street N.E. to the implications of the proposed plan on their property and to the current damage their property has sustained during construction.

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 (Zoning Commission only); and

No experts. The Telles will present as the next-door neighbors.

4. The total amount of time being requested to present your case (Zoning Commission only).

15 minutes

PARTY STATUS CRITERIA:

On a separate piece of paper, 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?

We are the next door neighbors to the construction at 1267 Penn Street NE, Washington, D.C.. The proposed plans violate the 5 foot side yard requirement and will result in building right up to our property line in one location with a terrace looking right into our yard.

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

We are the owners of the home at 1265 Penn Street NE, Washington, D.C., next door to the construction.

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.)

5 feet

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 construction proceeds as planned, the current plans will result in a portion of the proposed home at 1267 Penn Street NE being only about 1 foot from the property line, in violation of the required 5 feet of side yard. If the plans proceed as currently drafted, there will be social impacts from visibility into the yard at 1265 Penn Street NE and diminished economic value for homes purchased specifically for the purpose of side yard.

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.

Currently, as a result of construction negligence, our yard has been rendered unusable. The construction at 1267 Penn Street NE resulted in site digging that was not reinforced, resulting in the yard at 1265 Penn Street sliding into the adjoining construction site. The owners of 1265 Penn Street NE currently have no ability to use their yard as a result of the negligence of 1267 Penn Street N.E.

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 the next-door neighbors. The proposed zoning action directly affects us in how we use our home, parking situation, the nature of the neighborhood transitioning away from single family homes, and loss of privacy due to the violation of the 5 foot side yard requirement.