



**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**



FORM 141 - INTERVENOR REQUEST

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

PLEASE NOTE: THIS FORM IS FOR APPEALS ONLY.
(Please see reverse side for more information about this distinction.)

Name: Shelby and Adam Telle

Address: 1265 Penn Street NE, Washington, D.C. 20002

Phone No.(s): 727-656-0401 E-Mail: shelbytelle@gmail.com

I hereby request to appear and participate as an intervenor in Appeal No.: 19818

Signature: *Shelby Telle* Date: 9/18/18

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: *Opponent of the plans. Support appeal.*

Address:

Phone No.(s): E-Mail:

ADVANCED INTEVENOR STATUS CONSIDERATION PURSUANT TO: Subtitle Y § 502.2

I hereby request advance Intervenor Status consideration at the public meetings scheduled for: *Sept. 26, 2018*

INTEVENOR CRITERIA:

On a separate piece of paper, please answer all of the following questions referencing why the above person should be granted intervenor status, pursuant to 11 DCMR Subtitle Y § 502.1(i):

1. What legal interest does the person (i.e., owner, tenant, trustee, or mortgagee) have in the property?
2. How will the property owned or occupied by such person, or in which such person has an interest, be affected if the Appeal before the Board is approved or denied?
3. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the Appeal before the Board is approved or denied.
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 Board is approved or denied?
5. What is the distance between the person's property and the property that is the subject of the Appeal before the Board? (Preferably no farther than 200 ft.)

Form 141- Intervenor Request

Attached Answers

Appeal Number 19818

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

We are the owners of the property next door (1265 Penn Street N.E.). Any decision regarding zoning or plan approval directly impacts our property as the next-door neighbors.

2. How will the property owned or occupied by such person, in which such person has an interest, be affected if the Appeal before the Board is approved or denied?

Currently, the owners of 1267 Penn Street NE, through negligent construction and digging, have caused significant property damage to our property at 1265 Penn Street NE. Their negligent construction along the property line has resulted in our side-yard collapsing, sliding into their neighboring construction site, rendering our yard completely unusable. The zoning of 1267 Penn Street NE and the plans related to the 5 foot side yard requirement directly impact our ability to have our own property repaired and regain any use of it.

Furthermore, the current plans for construction, which are on appeal contain a violation of the 5 foot side yard requirement. The violation means that the home at 1267 Penn Street NE is being constructed too close to the property line. If the appeal before the Board is denied, the property of 1265 Penn Street NE will lose all privacy and be entirely visible from the portion of the home at 1267 Penn Street NE that violates the 5 foot side yard requirement.

3. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the Appeal before the Board is approved or denied.

If the appeal before the Board is denied, the owners of 1265 Penn Street NE will face diminished property value. 1265 Penn Street NE was purchased specifically because of the side yard, and semi-detached nature, a relatively unique feature in rowhouse communities. If the plans are allowed to proceed in violation of the 5 foot side yard requirement, the owners of 1265 Penn Street NE will lose the functional value of having a home set away from its neighbors.

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 by the Board is approved or denied?

If the appeal of the Board is denied and construction continues as planned, the economic value of the neighboring home, 1265 Penn Street NE will be diminished due to the fact that the main feature of the home is the semi-detached nature with side yard, providing unique privacy. With 1267 Penn Street NE built right to the property line, this economic value feature of the home is diminished. Furthermore, the plans for the terrace right on the property line will eliminate all

privacy, enabling 1267 Penn Street NE to look right into the property at 1265 Penn Street NE. The current plans have portions of the outer wall built approximately one foot from the property line. The resulting intrusion would have immediate impacts on the ability of the owners of 1265 Penn Street NE to have any reasonable enjoyment of their property.

5. **What is the distance between the person's property and the property that is the subject of the Appeal before the Board?**

5 feet

COMMISSION OF THE DISTRICT OF COLUMBIA
 PERMIT OPERATIONS DIVISION
 PLANS APPROVED

Project No. _____ Date _____
 This plan is conditionally approved. It is subject to field or aerial photo review. The applicant must provide a site plan showing all proposed changes and any other information required by the Commission. Changes require a separate application and fee.

AFAISTUD
 1267 PENN ST., NE
 WASHINGTON, DC 20002
 SQ: 4060
 LOT: 0233

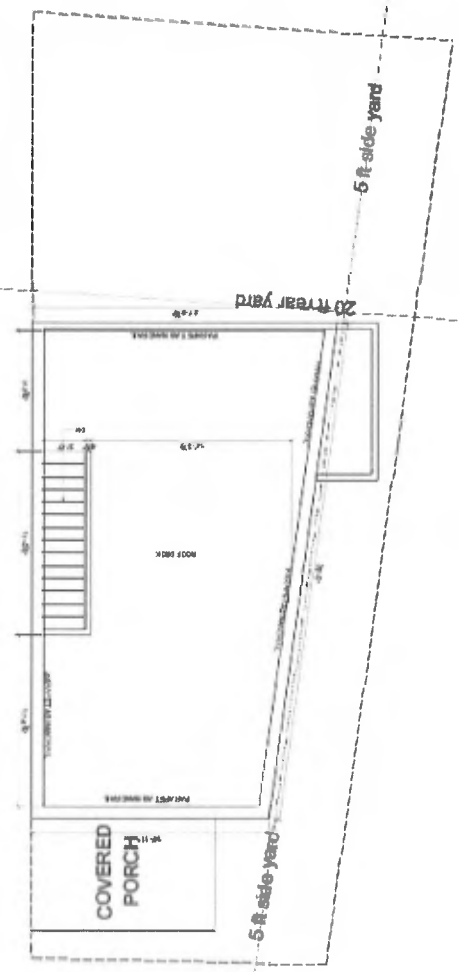
1267 PENN ST., NE
 1267 PENN ST., NE
 WASHINGTON, DC 20002
 SQ: 4060
 LOT: 0233

SCALE AS NOTED
 DATE 08/10/07
 PROJECT NUMBER 1288

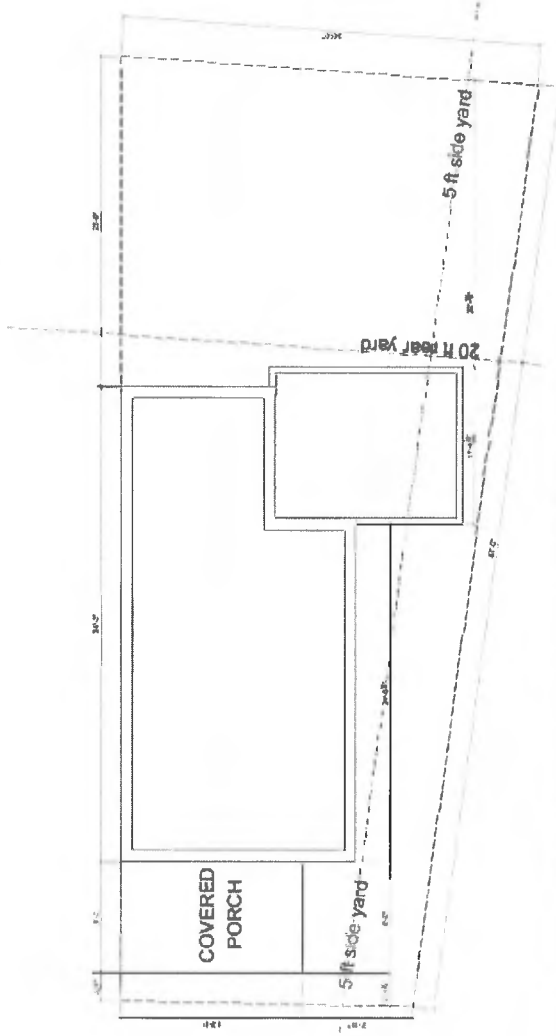


A0100

1 PROPOSED SITE PLAN
 SCALE 1/4" = 1'-0" 24036 LAYOUT



2 EXISTING SITE PLAN
 SCALE 1/4" = 1'-0" 24036 LAYOUT



PERMIT OPERATIONS DIVISION
 PLANS APPROVED
 No. _____ Date _____
 These plans are conditionally approved for the purpose of the permit. The applicant is responsible for obtaining all necessary permits from the appropriate agencies. No changes or modifications shall be made to these plans without the written approval of the permit officer. The permit officer shall be kept on site and approved for all work. The permit officer shall be kept on site and approved for all work. The permit officer shall be kept on site and approved for all work.

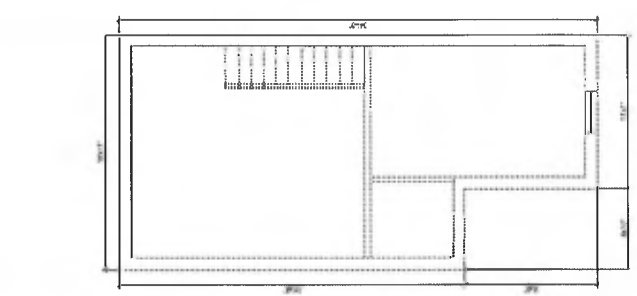
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 WASHINGTON, DC 20002
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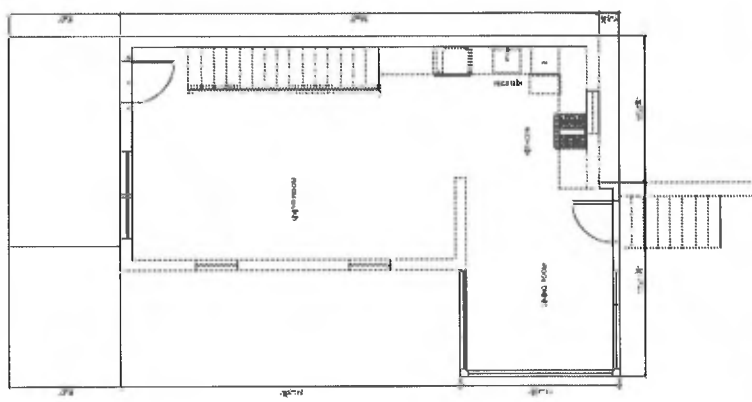
SCALE: AS NOTED
 DATE: 08/20/11
 PROJECT: WAREHOUSE



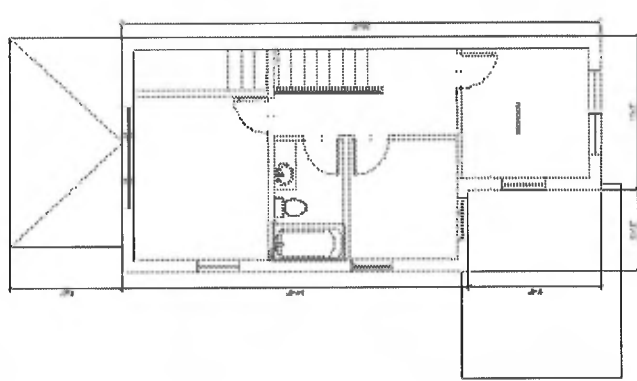
AD0101



1 CELLAR FLOOR PLAN - DEMO
 SCALE: 1/4" = 1'-0" 24X36 LAYOUT



2 1ST FLOOR PLAN DEMO
 SCALE: 1/4" = 1'-0" 24X36 LAYOUT



3 2ND FLOOR PLAN DEMO
 SCALE: 1/4" = 1'-0" 24X36 LAYOUT

Certificate of Service- Appeal 19818

I certify that on Sept. 19, 2018, I served form 141 Intervenor Request on the following:

DCRA
Office of the Zoning
441 4th Street NW, Suite 220-S
Washington, D.C. 20001
Service via email: bzasubmissions@dc.gov

1267 Penn Street NE LLC
8855 Annapolis Road
Suite 205
Lanham, MD 20706
Service via USPS Overnight

ANC 5D
Service via email: 5D@anc.dc.gov

Stephen Cobb
1271 Penn Street NE
Washington, D.C. 20002
Personal Service



Shelby Telle
BZA Case 19818
(727)656-0401
shelbytelle@gmail.com