



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:	Melinda Roth		
Address:	3418 O Street NW Washington DC 20007		
Phone No(s).:	202 714 8172	E Mail:	melindaroth24@gmail.com
I hereby request to appear and participate as a party in Case No.:	20135		
Signature:		Date:	15 October 2019
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: **October 30, 2019**

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.

Board of Zoning Adjustment
441 4th Street, NW, Suite 200S
Washington, DC 20001

15 October 2019

RE: Case #20135 BZA Application - 3428 O Street, NW (Square 1228, Lot 76)

Dear Members of the Board

I hereby request party status for the above mentioned BZA Application (Case #20135).

The property proposing a zoning variance is within 200 feet of two properties I own (my house located at 3418 O Street, and a separately deeded garage in an alley off of 35th Street). These properties would be negatively affected by the action requested of the BZA. I have owned and resided in my house since 2004 with my two sons.

If the requested variance is approved, my neighbors and I will be adversely affected by the change from our quiet residential zone to one with a bustling business that currently experiences hour plus long outside lines in their original location. The restaurant owners have been on the record stating they expect this location in Georgetown to be as wildly popular.

The previous business occupying this property was a quiet small floral shop that also sold gifts and other houseware items. It was never crowded, loud or presented any issues with regard to trash or rodents. Moreover, it served our local neighborhood with mostly foot traffic. If any customers came from outside of the area, there were never more than one or two. Therefore, parking was never an issue.

However, this proposed restaurant business would change every single one of those facts. It is likely to be crowded (especially since it is a small property and will have no seating inside or outside), loud, and increase significantly the trash, litter and rodents in our neighborhood. Finally, the lack of parking will mean that all of the numerous customers coming from all over DC and beyond will be utilizing residential spots. We have zoning regulations for exactly these purposes.

It is clear that I, along with all of my neighbors, would be detrimentally affected by the Board approving such a variance. My specific property value will likely decrease as will my fundamental right to enjoyment of my property. The long lines may extend in front of my house! This alone enables me to request party status given my interests are more uniquely affected than the general public. I have the support of all known and identified owners of the 3400 O Street

block as well as numerous other residents within 200 feet. We believe that approval of this variance would be substantial detriment to the public good as well as impair the intent, integrity, and purpose of the existing Zoning Plan.

We hope to present this case at the upcoming hearing.

Thank you

Melinda Roth
3418 O Street NW
Washington DC 20007

cc: Concerned Citizens of West Georgetown

Case #20135
Party Status Request
Witness Information

1. A list of witnesses who will testify on the party's behalf (we selected only 5 of the nearby neighbors)

Melinda Roth
Marie-Louise Caravatti
Brendan Dignan
Christian Neeley
Michael Savage

2. A summary of the testimony of each witness

The above named witnesses will testify against the proposed variance as immediate neighbors of the proposed business. Each will provide testimony as to the negative effects if the variance is 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

We do not propose any expert witnesses.

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

We estimate we will require between 15-30 minutes.

Board of Zoning Adjustment
441 4th Street, NW, Suite 200S
Washington, DC 20001

15 October 2019

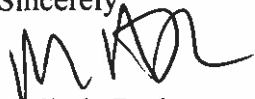
RE: AFFIDAVIT OF SERVICE for PARTY REQUEST
Case #20135 BZA Application - 3428 O Street, NW (Square 1228, Lot 76)

I hereby confirm that I have sent a copy of my request to the agent of the Applicant and the affected Advisory Neighborhood Commission (ANC2E).

Martin Sullivan
Sullivan and Barros
1155 15th Street NW Suite 1003
Washington DC 20007
msullivan@sullivanbarros.com

Area Neighborhood Commission 2E
3265 S Street NW
Washington DC 20007
2E@anc.dc.gov

Sincerely,



Melinda Roth