



BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA



FORM 140 - PARTY STATUS REQUEST

Before completing this form, please review the instructions on the reverse side.
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.
(Please see reverse side for more information about this distinction.)

Pursuant to 11 DCMR §§ 3022.3 or 3106.2, a request is hereby made, the details of which are as follows:

Name:	kathryn b fitzgerald		
Address:	1681 31st Street NW		
Phone No(s):	240-422-5953	E Mail:	kathrynbfitzgerald@gmail.com
I hereby request to appear and participate as a party in Case No.:		21143	
Signature:	kathryn b fitzgerald	Date:	7/3/2024
Will you appear as a(n)	Opponent	Will you appear through legal counsel?	No

If yes, please enter the name and address of such legal counsel.

Name:			
Address:			
Phone No(s):		E Mail:	

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

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.

Except for the applicant, appellant or the ANC, to participate as a party in a proceeding before the Commission/Board, any affected person shall file with the Zoning Commission or Board of Zoning Adjustment, this Form 140 not less than fourteen (14) days prior to the date set for the hearing.

FORM 140 Party Status Criteria Information for Kathryn B. Fitzgerald and Peter F. Fitzgerald BZA #21143

Party Witness Information: Kathryn B. Fitzgerald and Peter F. Fitzgerald, owners of 1681 31st Street NW, neighbors to 3100 R Street, NW.

Summary of Testimony: To be determined. We do not yet know the outcome of upcoming community meeting(s) with impacted neighbors, therefore cannot say for certain what we would state, other than sharing our existing concerns and commenting on negotiated outcomes.

Expert Witnesses: N/A

Total Amount of Time Requested: 20 minutes (could take less time).

Party Status Criteria:

Kathryn Fitzgerald and Peter Fitzgerald are owners of 1681 31st Street NW, which is very close to 3100 R Street.

Any alterations to use as office space, will impact our property such as but not limited to: noise, pest control, street parking, etc.

If approved – We are mainly concerned about additional noise, parking enforcement from visitors conducting business meetings, requirements to upgrade, build, renovate, and expanding the footprint of existing residential building into commercial/office use (e.g., condensers for office use, ADA compliant stairs internal and external, elevators, adding more square footage once Floor Area Ratio is waived, etc.) Office hours, and events at the house will be a concern and it would be difficult to enforce agreed upon hours and activities.

Other potential items such as changing the residential block/neighborhood into a mix use one if other entities start buying residential homes and apply for change in use to office, leading to less residents and families living in this portion of the community. As well, we cannot say for certain whether the applicant won't sell the property to another business/non-profit and we do not know whether the applicant would return to request another years' long extension after 4 years. Our immediate neighbors do not wish our quiet, residential blocks be transformed into mix use of office space and residents.

CERTIFICATE OF SERVICE

BZA Application No. 21143

Pursuant to the requirements of Subtitle Y § 404.7, I certify that a copy of the **Form 140 - Party Status Request** and all accompanying documents have been served upon:

- (a) **The applicant: Trustees for Harvard University:**
 - a. **Yota Batsaki, Executive Director, Dumbarton Oaks:** batsakiy@doaks.org

- (b) **The applicant's representative or counsel:**
 - a. **Leila Batties, Partner, Holland & Knight:** Leila.batties@hklaw.com

- (c) **The ANC:**
 - a. **ANC 2E Office/ANC2E Executive Director:** 2E@anc.dc.gov

- (d) **The ANC SMD:**
 - a. **Gwen Lohse, Acting on behalf of SMD 2e07 Commissioner Daniel Chao:**
2e06@anc.dc.gov

 - b. **Daniel Chao, Commissioner 2E07:** 2e07@anc.dc.gov

- (e) **Tom Cummins, Director of Dumbarton Oaks** cumminst01@doaks.org

Service was made on July 1, 2024 by email, to the following:

1. Yota Batsaki, Exec. Director: Dumbarton Oaks

2. Leila Batties, Partner: Holland & Knight
Leila.Batties@hklaw.com

3. ANC2E Executive Director: 2E@anc.dc.gov

4. ANC 2E Chairperson: Gwen Lohse & ANC 2E07 Commissioner: 2e06@anc.dc.gov;
2e07@anc.dc.gov
5. Tom Cummins, Director of Dumbarton Oaks cumminst01@doaks.org

Signature: _____

A handwritten signature in black ink, appearing to be 'TC', written over a horizontal line.