Office Of
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Government of the District of Columbia
OFFICE OF ZONING

2005 JUN 23 AM 11: 26

MEMORANDUM

TO: Arnold R Finlayson, Administrator
Office of Documents and Administrative Issuance

FROM: Jerrily R Kress, FAIA
Director

DATE: June 23, 2005

SUBJECT: Publication for the Office of Zoning

Please publish the following in the *D C Register* on July 1, 2005

1 Z C Notice of Filing (Case No 05-17),
2 Z C Notice of Filing (Case No 05-18),
3 Z C Notice of Special Public Meeting;
4 Z C Notice of Rescheduled Public Hearing (Case No 01-28TE); and
5 Z C Notice of Public Hearing (Case No 05-16)

Attachments

[redacted]
[redacted] 05-16
[redacted] 12

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ZONING COMMISSION
District of Columbia
CASE NO.05-16
EXHIBIT NO.12

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, September 1, 2005, @ 6:30 p.m.**
Office of Zoning Hearing Room
441 4th Street, N.W., Suite 220-South
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 05-16 – (American University – Minor Addition to the Kogod School of Business and the New Lecture Hall)

THIS CASE IS OF INTEREST TO ANC 3D

Application of American University, pursuant to 11 DCMR §§3104.1 and 210, for special exception approval of a further processing application of an approved campus plan for a minor addition, consisting of approximately 2,173 square feet of gross floor area, to the Kogod School of Business and the New Lecture Hall on the Main Campus of American University in the R-5-A District at premises 4400 Massachusetts Avenue, NW (Lot 1 in Square 1600)

PLEASE NOTE:

- Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Commission.

- Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Commission, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal, or denial

The public hearing in this case will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, Zoning. Pursuant to Subsection 3117 4 of the Regulations, the Commission will impose time limits on the testimony of all individuals

Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Commission. All requests and comments should be submitted to the Commission through Jerrily R Kress, Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D C 20001 Please include the case number on all correspondence.

Any person who desires to participate as a party in this case must so request, and must comply with the provisions of 11 DCMR § 3022.3. A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Rules. Except for the applicant and the ANC, to participate as a party in a proceeding before the Commission, any affected person shall file with the Commission, not less than fourteen (14) days prior to the date set for the hearing, the following information:

(a) The person's name and address;

(b) A request to appear and participate as a party;

(c) Whether the person will appear as a proponent or opponent of the application;

(d) Whether the person will appear through legal counsel and, if so, the name and address of the legal counsel;

(e) A list of witnesses who will testify on the person's behalf; and

(f) A written statement setting forth why the person should be granted party status, including reference to the following:

(1) The property owned or occupied by the person, or in which the person has an interest, that will be affected by the action requested of the Commission;

(2) The legal interest the person has in the property, such as owner, tenant, trustee, or mortgagee,

(3) The distance between the person's property and the property that is the subject of the application before the Commission,

(4) The environmental, economic, social, or other impacts likely to affect the person and/or the person's property, if the action requested of the Commission is approved or denied, and

(5) An explanation of how the person's interests as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public

The Commission shall determine who will be recognized as a party In so determining, the Commission shall consider whether the provisions of § 3022.3 have been complied with and whether the specific information presented qualifies the person as a party

Any person wishing to be considered a party should clearly state the request, and should also provide a daytime telephone number should it be necessary for the Office of Zoning to obtain additional information or clarification prior to the hearing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

The Zoning Commission hereby gives notice of the following procedures applicable to this case. Any person requesting to appear as a party to this application shall submit the following additional information·

1. A summary of the testimony of each witness.

2. 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 of qualifications of the proposed experts.

3. The total amount of time that will be required to present the case.

The information cited above shall also be submitted by the applicant To the extent that the information is not contained in the applicant's prehearing submission required by 11 DCMR § 3013.1, the information shall be filed no later than 14 days before the date of the hearing.

CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, KEVIN L. HILDEBRAND, AND GREGORY N. JEFFRIES ———— ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, OFFICE OF ZONING.