



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:	Kirk Beatley		
Address:	1435 Pennsylvania Avenue SE		
Phone No(s):	202 425 3485	E Mail:	k.beatley@comcast.net
I hereby request to appear and participate as a party in Case No.:	15-12		
Signature:		Date:	1-21-16
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:	

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 Request

1. Party Witness Information:

Kirk Beatley, owner of 1435 Pennsylvania Avenue SE, WDC 20003

Lisa Holden, owner of 1435 Pennsylvania Avenue SE, WDC 20003

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

The building as proposed will cast a huge shadow over our home and garden blocking our view of our rear yard due to the extension of the current building to the end of the current property line. We believe that we have been consciously and deliberately excluded from the information being provided to the neighbors and the community because we will be directly and adversely impacted by the project as it is now proposed.

3. An indication of which witness 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 ANSWER: Kirk Beatley and Lisa Holden as the owners and residents of the adjacent property for nearly 28 years, we deem ourselves to be the experts in the loss of light and space to which we will be subjected if this project is approved as planned.

4. The total amount of time being requested to present your case (Zoning Commission only). 10 minutes

PARTY STATUS CRITERIA:

- 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? ANSWER: Kirk Beatley, who is requesting party status, will be affected along with his entire family when the property next door extends from where it currently has already been illegally built out an additional 7.5 feet beyond the original structure by the prior owner, blocking a window on the west side of our home in the rear, to now another approximately 16 feet outward to the rear (for a total of 23.5 feet) and at least 50 feet in height. This will completely overwhelm the space, light and ambiance to which we have been accustomed for the last 28 years.**
- 2. What legal interest does the person have in the property? ANSWER: Kirk Beatley and Lisa Holden have owned and resided in the adjacent property since 1988. Their address is 1435 Pennsylvania Avenue, SE WDC 20003.**
- 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.) ANSWER: Kirk Beatley's property is immediately adjacent to and abutting the planned development. The two properties share a property line.

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?

ANSWER: The extension of a new apartment/condo/retail building beyond the location of the current building will diminish the value of the adjacent property by casting a shadow upon that property and creating a tunnel vision effect from the rear door for at least 40 feet. Our multiple requests for photographs of the east side of the planned project have yet to be honored. The view from the rear of 1435 Pennsylvania Avenue, over our own property, will be impaired if not completely blocked.

The property at 1433 Pennsylvania Avenue SE has already built on approximately 60% of its lot size. Allowing for a larger building on this lot will greatly infringe on its neighbor at 1435 Pennsylvania Avenue causing the environmental impact explained above along with an adverse economic impact by diminishing light, sound, air and air circulation.

ENVIRONMENT IMPACT: Diminished light, sound, air and air circulation.

ECONOMIC: There will be an adverse economic impact by devaluing our property related to the deficits mentioned above of diminished, light, sound, air, air circulation and a sense of openness and space.

SOCIAL IMPACT: There will be significant reduction in our ability to enjoy our property along with family, friends, and neighbors who are used to a more open and spacious environment.

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. ANSWER: There will be a higher volume of people, pedestrians, noise, trash and parking issues encumbering our enjoyment of life as we have come to know it over the last 28 years.
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. ANSWER: Please see answers above.