



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](http://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:	GEOFFREY STUART DOW		
Address:	1714 HOBART ST NW		
Phone No(s):	240 351 1167	E Mail:	geoffdow@hotmail.com

I hereby request to appear and participate as a party in Case No.: 19629

Signature:		Date:	October 8 2017
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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
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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:

**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.

Geoffrey Dow, as a co-owner of 1714 Hobart St NW, is requesting Party status in this case on behalf of himself and the second co-owner, Christina Werth.

**PARTY WITNESS INFORMATION**

1. A list of witnesses who will testify on the party's behalf;

5+ residents of Hobart St NW who routinely use the north-south public alley between Hobart and Harvard Streets for egress, have garage egress into the east-west public alley between Harvard and Hobart Streets, or southerly views across Harvard St towards Adams Morgan.

More if Applicant substantively changes application prior to the hearing.

2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)

Co-owners of, and residents at, 1714 Hobart St NW, which is within 200 ft. of the Applicant's property.

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

No expert witnesses.

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?

As a co-owner of, and residents at, 1714 Hobart St NW, GSD often uses the north-south alley between Hobart and Harvard Streets NW as a convenient through way when walking to work through Adams Morgan. Our property has a garage on the south side of our property for which egress is through the main alley between Harvard and Hobart Streets. We have attractive southerly views across the alley to Harvard Street and beyond. The residences to our south across the alley are setback a minimum of 15 feet south from the northern property line on the alley. This proximity is sufficient to foster a sense of community without being so close that windows need blacking out to ensure privacy!

**The Applicant has requested zoning relief of the usual 5+ foot setback requirement from the north perimeter of the property abutting the east-west public alley and from the eastern perimeter of the property that abuts the north-south public alley between Hobart and Harvard Streets.**

**Should this zoning relief be granted it would negatively impinge on our quality of life in the following ways:**

**First, waiver of setbacks would result in construction of a 20ft high wall along the public alley between Harvard and Hobart Streets, where there is not now any such wall. We are concerned this will reduce visibility, and therefore diminish security for pedestrians through both public alleys (there would then be a perfect hiding place between the two residences at the north end of the alley between Hobart and Harvard streets).**

**Second, the Applicants have not described how the building of their proposed structure will not result in blockage of the public alley between Hobart and Harvard Streets during the construction period.**

**Third, none of the properties on Harvard Street within 200ft of the Applicant's house have structures within the required 5ft setback from the property perimeter on the north side abutting the public alley between Hobart and Harvard streets. This means that granting of the zoning relief in relation to the setbacks will set a precedent for this part of Mount Pleasant. It is not difficult to imagine that in the future, new residents of Harvard Street would be able to cite the zoning relief granted in this case to request zoning relief to extend existing structures out to the northern property line to a height of two stories. In the event this were to occur, we would be negatively impacted in three specific ways: (i) our privacy would be impacted due to the presence of second story bed room windows across the alley which would be up to 15ft closer than now, (ii) our view would be negatively impacted by a proliferation of new structures, and (iii) egress from our garage would be negatively affected if future construction included garages. We purchased our house in 2005 on the understanding that zoning rules would not permit such construction.**

**2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee)**

**Geoffrey S. Dow and Christina Werth are owners of 1714 Hobart St NW and have a mortgage on the property.**

**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.)**

**1714 Hobart St NW is less than 200 ft. from the Applicant's property**

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?

Please see responses to Question 2.

Also, diminished privacy due to future construction will affect many other residents of Hobart Street. The impairment of safety and security for pedestrians in the alley will affect many more folks than us, including those who do not have cars and depend on the public alleys as their main commuting route.

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.

If the BZA denies the variance it would preserve access to, and the existing level of security and safety, for pedestrians in the north-south alley between Harvard and Hobart Streets, and main east-west alley between the two streets. It would ensure that no precedent is set that could allow construction of two story residences out to the northern property line in the future, and thereby negatively impair the privacy and garage egress of Hobart St residents across the alley.

Conversely, if the BZA grants the variance it will permanently impair safety and security of pedestrians in the two public alleys, and create a zoning precedent that we and likely other current residents believe will negatively affect their enjoyment of their properties and neighborhood.

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.

We are more affected than the general public in two ways, although our objections are likely shared by other residents.

First, our pedestrian transit times from Mt Pleasant to Adams Morgan via routes other than the north-south alley (for example by Hobart St, Mt Pleasant St and Columbia Road) are longer than other members of the public (who may not even know about the short cut). This will be a substantial inconvenience if this detour is required because the perceived (or actual) safety in the north-south public alley, post-construction, is impaired. We imagine that individuals living to the west of us in Mount Pleasant feel similarly.

Second, while other alleys in DC conceivably have two story structures extending right to the property line, the 5ft setback along the northern edge of properties on 1600 and 1700 blocks of Harvard Street is preserved within 200 ft. of the Applicant's property (and along almost all of alley). Therefore, if the BZA grants the Applicant's request, it will set a precedent in terms of allowing future construction that may

**affect our interests in a manner that it might not elsewhere in the city. We imagine that our concerns are shared by individuals who live on Hobart St within 200ft of the Applicant's property.**