



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: MICHEL DALEY

Address: 119 Tennessee Ave N.E.

Phone No(s): 202-744-3510 E Mail: mldaley119@gmail.com

I hereby request to appear and participate as a party in Case No.: 19728

Signature: Michel S. Daley Date: May 15, 2018

Will you appear as a(n)  Proponent  Opponent Will you appear through legal counsel?  Yes  No

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

Name: N/A

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: 5-30-2018

**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? Property value may be affected.
2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee) Owner
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.) Adjoining row house.
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? Construction noise/disturbance
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. Lack of access to alley/public space.
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. denial of open space views.



## **MICHEL L. DALEY**

119 Tennessee Avenue, N.E., Washington, D.C. 20002, Tel. 202.544.4445

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May 14, 2018

**ATTACHMENT TO FORM 140 – PARTY STATUS REQUEST - Case No. 19728**  
**Proposed Renovation & Addition to 121 Tennessee Ave NE, Washington, DC 20002**

1. List of witnesses who will testify on the party's behalf: NONE
2. Summary of Testimony of each witness: SEE BELOW
3. A summary of expert witnesses; NONE
4. Total time requested to present my case: 10 minutes.

### SUMMARY OF TESTIMONY:

After thoughtful consideration, I am rescinding my support for the comprehensive renovations and additions planned for 121 Tennessee Avenue, NE, Washington, DC, a townhome which adjoins my property.

While I initially signed the McGeehan's petition for support, I failed to consider their proposal in detail. After careful review of their architectural drawings and a visual inspection, I now realized their proposed rear addition ("bump-out") would neither be in my best interest nor the best interest of our other neighbors.

When completed, the proposed construction would result in a three-story wall beside my property. While sitting on my rear patio, I was able to visualize how sunlight and my view of open space would be severely diminished if walls were erected on either side of my property. My small patio would become claustrophobic. Although my neighbors at 117 have not expressed the desire to make a similar addition, my objection if they propose a similar bump-out in the future would be disingenuous and perhaps discriminatory if I support this construction.)

As a real estate broker, who has made extensive renovations to my home and other properties I have owned, I generally support a homeowner's desire to modify or improve their dwelling, provided it does not adversely affect their neighbors. Much of this construction will be external, noisy and long-lasting. It will disrupt the use of our street facilities and alley for an extended period of time.

Therefore, for all the reasons I have stated, I must hereby oppose the McGeehan's proposal. I have also shared my objection with ANC6A04.