



**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 > 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:	Matthew Bottelson		
Address:	1516 32nd St NW, Washington, DC 20007		
Phone No(s):	(202) 744 - 3733	E Mail:	mbottelson@gmail.com
I hereby request to appear and participate as a party in Case No.:		BZA Application No. 20412	
Signature:	<i>Matthew Bottelson</i>	Date:	3/2/21
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:	

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: **03/17/21**

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.

DATE March 02, 2021

TO Board of Zoning Adjustment
441 4th St NW
200S
Washington, DC 20001

FROM Matthew Bottelson
1516 32nd St NW
Washington, DC 20007

SUBJECT Party Witness Information
REFERENCE BZA Application No. 20412

Dear Madam/Sir:

1. Either I or one of my affected neighbors: Nicole Vikan, Michael Lechliter, Tarleton Watkins
2. My summary can be found in my Party Status response, which also impact my neighbors in part or in full.
3. No proposed professional expert testimony will occur on my account.
4. I am requesting the maximum amount of time allotted.

If you have any further questions, comments and or requests, please do not hesitate to contact me either on my mobile at (202) 744-3733 or through email at mbottelson@gmail.com.

Sincerely,



Matthew Bottelson

DATE March 02, 2021

TO Board of Zoning Adjustment
441 4th St NW
200S
Washington, DC 20001

FROM Matthew Bottelson
1516 32nd St NW
Washington, DC 20007

SUBJECT Party Status Request

REFERENCE BZA Application No. 20412

Dear Madam/Sir:

Enclosed, please find *Party Status Criteria* question and answer from 1516 32nd St NW Washington DC, as it relates to BZA Application No. 20412:

(1)

Question:

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:

The impact and implications on my property, if approved by the BZA, are multi-faceted, and most importantly are irreversible. They are both direct, and indirect in nature. They include, but are not limited to:

- a) A decrease in property value
- b) A decrease in privacy.
- c) A decrease in natural light.
- d) A decrease in available parking.
- e) An increase in artificial light.
- f) An increase in trash.
- g) An increase in rodent infestation.
- h) An increase in noise.
- i) An increase in vehicle traffic.
- j) An increase in property operating costs (i.e., utilities, insurance)

The owner of the applicant property is also the owner of the two neighboring properties on Wisconsin Ave. In fact, it is understood that the applicant may own four (or more) buildings in a row. Ultimately, the collective properties are being converted into what is essentially one large apartment complex. Whereas commercial retail space has minimal impact on the value of my property, now having an apartment complex next to my property, which is valued on the basis of rental income can have a material impact on the resale value of my property, while at the same time, no such impact on my property tax assessment. What does this mean, I expect I will now receive less money in the fair market value when I sell the property, if this is approved; however, my property taxes will continue to increase in accordance with DC's tax policy, which is loosely (at best) tied to market value.

I will lose privacy if the property is granted permission by the BZA. This means someone can more easily see my personal belongings. It also means that I will be more easily able to smell a neighbor smoking or hear neighbors partying (I have a 3-month daughter, meaning this is terrible for her).

I will lose natural light, which means a few things: my garden will potentially die (at least in part), my daughter will have less time to play outside since it will become dark earlier (the building is to the west of me), my heating bills will also increase in the winter since I will have less western sun light, and the rodents will come out earlier since there will be less light in the evenings than there is now.

The proposed expansion is for additional apartment units. That is, if the footprint is expanded, the applicant can add more apartments. Parking is already limited and challenging (Note: Wisconsin Ave has no extended parking and the two adjacent streets - P & Q - are parking on one-side. Also, 32nd St is one-side parking too). An approval by BZA will adversely impact me on this as well. I already park two and three blocks away. I imagine I will have to park four, five or maybe six (~1/2 mile) away. How does that help my elder family members when they want to visit? It means that someone with walking difficulties will also need to park further away to visit my family.

Artificial light, if approved by BZA, will now shine on my property because the edifice is further back.

The applicant's proposal is to have all garbage and trash brought to the property directly adjacent to my property rear. That means rather than my property having one property's trash, it will have four or five. That means my daughter will be exposed to more trash from additional people (approval = more people) that don't view this residence as their home but as a place they rent. Who would want to own a house that has a trash dumpster next to it all year round? Then who would want to own a house that has a trash dumpster next to it that services more units the adjacent property has? Here is the equation: BZA Approval = More Apartments = More Trash.

What comes with lots of trash? Rodents! If you are unaware, our neighborhood has had an existing rodent problem for decades. I already have spent a sizable amount of money to mitigate the problem, and now will have to continue to spend considerable amounts of money since again the trash, which will come from the applicant's property, abuts my rear. Here is the equation: BZA Approval = More Apartments = More Trash = More Rats.

If approved, if the building goes back, noise will certainly increase due to a higher occupancy, but also because they are closer. This dual impact will be obnoxious in many ways, but will undoubtedly impact my household's sleep, including my 3-month daughter. Empirical evidence supports that sleep is crucial for a child's development.

Much like the parking problem that will result, BZA approval will result in more traffic due to a higher occupancy. If you are unaware, 32nd St between Q & P is a small quiet street. Again, my household has an infant, and in the near future, an increase in traffic poses a serious danger for her well-being!!!

My household costs will most certainly increase. I imagine my homeowner's insurance will increase due to perceived higher risks. Likewise, with less natural light, heating costs will increase, and lighting costs will increase. Is it possible that my basement is more susceptible to flooding to more sewage use in the neighborhood? I assume that my rodent mitigation expenses will increase. Likewise, I'm sure I will have more expenses related to mitigate the privacy concerns.

(2)

Question:

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

Answer:

Owner

(3)

Question:

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:

Estimated at 20 feet, but no greater than 50 feet.

(4)

Question:

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:

If approved, it will have adverse effects.

Environmental: Increased trash, rodents, artificial light, noise, parking, vehicle traffic (child safety).
Decreased natural light.

Economic: Property value decrease, household expenses increased, increased vehicle expenses (additional gas to find parking).

Social: Reduction in parking will make having family and friends visits more difficult (especially our elderly family), my daughter is at greater risk for additional vehicle traffic harm, we will lose privacy, we will be subject to more rodents, we will be subject to more artificial light, we will be subject to more trash.

(5)

Question:

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:

If approved, the relevant matter is irrevocable, meaning all solutions proposed by applicant should be permanent too, which is not so. The applicant has only proposed temporary solutions for both the rear egress and the trash for the applicant property, which is to use the rear yard of my neighbor on Wisconsin Ave. This is not a permanent solution to a permanent problem. Rather, it is with certainty that once the applicant divests himself in his properties (whether transferred to family or sold), the applicant's solutions will no longer be viable. This is a HUGE problem!

(6)

Question:

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:

I am extremely close to the applicant property, and the applicant is proposing the property behind my property as a means to temporarily solve severe problems. Likewise, it will have a direct impact on my property as detailed above.

If you have any further questions, comments and or requests, please do not hesitate to contact me either on my mobile at (202) 744-3733 or through email at mbottelson@gmail.com.

Sincerely,



Matthew Bottelson

CERTIFICATE OF SERVICE

BZA Application No. 20412

Pursuant to the requirements of Subtitle Y § 407.3, I certify that a copy of the **Motion to Request for Party Status** and all accompanying documents have been served upon:

- (a) **The applicant**
- (b) **Counsel for the applicant**
- (c) **The affected ANC**

Service was made on March 2, 2021 by email to the following:

1. Mr. Martin Sullivan, Designated Agent for Applicant
msullivan@sullivanbarros.com
2. Mr. Martin Sullivan, Counsel for Applicant
msullivan@sullivanbarros.com
3. ANC 2E, Mr. Rick Murphy
2E@ANC.DC.Gov
2E03@anc.dc.gov

Signature: _____

Martin Sullivan