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**BEFORE THE ZONING COMMISSION OR  
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA**
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**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: **Alfred R. Barr and Sarah R. Horsey**

Address: **4510 Davenport Street, NW, Washington, DC 20016**

Phone No(s): **202-364-2737** E Mail: \_\_\_\_\_

I hereby request to appear and participate as a party in Case No.: **20661**

Signature: *[Handwritten Signature]* Date: **2/26/2022**

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: **David W. Brown** *[Handwritten Signature]* **3/2/22**

Address: **401 E. Jefferson St., Ste 206, Rockville, MD 20850**

Phone No(s): **301-545-6105** E Mail: **brown@knopf-brown.com**

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; See attached for answers to these questions
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? See attached for answers to these questions
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.

**Board of Zoning Adjustment**  
**District of Columbia**  
**CASE NO.20661**  
**EXHIBIT NO.24**

**Alfred R. Barr & Sarah R. Horsey  
PARTY STATUS REQUEST**

**Party Witness Information**

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

**Alfred R. Barr & Sarah R. Horsey  
4510 Davenport Street, NW  
Washington, DC 20016**

**Katherine Mitchell  
4511 Davenport St, NW  
Washington, DC 20016  
[katherinewmitchell@protonmail.com](mailto:katherinewmitchell@protonmail.com)**

2. A summary of the testimony of each witness;

**The Barrs have lived across the alley from the subject property for over 36 years. They will testify regarding the adverse impact on their property and the surrounding neighborhood that would result from approval of an oversize two-story accessory structure toward the rear of the subject property. They will also detail how the applicant's long-standing code violations have resulted in their great concern that the applicant would not abide by BZA-imposed conditions to lessen the incompatibility of the proposed structure, especially considering the likelihood of the structure's use in violation of home occupation limits in the Zoning Regulations.**

**Ms. Mitchell lives across the street from the Barrs, a location still in proximity to the Altens requested accessory structure. She will testify regarding the adverse impact, present and future, of the grant of the special exception on the neighborhood and on her use of the alleys on which the expanded structure would front. She will describe how the Altens have used, and apparently intend to continue to use, the alleys adjacent to their property for the commercial business run from their home and garage. She will express her concern about the special exception exacerbating these impacts, resulting in ever more frequent**

**alley blockage due to the Altens' loading/unloading activity to/from the applicant's large commercial vans, as well as their long-term accumulation of unsightly construction materials in their back yard and their illegal storage of such materials in the new, enlarged structure. She will also address the unresolved question of whether the Alten property, as proposed to be revised with the special exception grant, will meet the requirement of at least 50% pervious surface on the 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; **None**
4. The total amount of time being requested to present your case. **30 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? **If the application is granted, the applicant will convert the existing garage into a much larger structure, containing two floors, including an accessory dwelling unit on the second floor. These changes will unduly compromise the privacy of use and enjoyment of the Barrs' property and otherwise adversely affect the use of their property and neighbors' use and enjoyment of their properties.**
2. What legal interest does the person have in the property? (i.e., owner, tenant, trustee, or mortgagee) **None**
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.) **The properties of the applicant and the Barrs abut each other across a 16-foot public alley. All of the Barrs' property is within 200 feet of the area of the applicant's property subject to change under the application.**
4. What are the environmental, economic, or social impacts that are likely to affect the person and/or person's property if the action requested of the Commission/Board is approved or denied? **At 660 square feet, the proposed accessory building is 210 square feet (or 46.66%) larger than the allowable maximum of 450 square feet. This is substantially in excess of the size of other accessory structures in the neighborhood. Approval would set a precedent for the neighborhood, the domino effect of which would be a future cascade of like applications that would likely be approved, significantly changing for the worse the character, scale and pattern of development in the neighborhood.**
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. **To date, the applicant's long-standing use of their property in violation of existing legal requirements and regulations further adds to the Barrs' concern that these problems**

**will only be exacerbated by approval to replace the existing garage with a much larger structure. The current garage includes an addition that is an eyesore in the 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. **As abutting property owners, the Barrs would experience the adverse impacts of the special exception grant more significantly, distinctively and uniquely than the general public, and at least as directly as other property owners residing within 200 feet of the applicant's property. This concern is amplified by the narrowness of the public alley on which it would front, the size of the applicant's cargo van and the proximity of the new wood fencing around the Barrs' property.**