Statement of grievance

Since DCRA granted a certificate of occupancy for Wagtime to open a 24-hour dog boarding and grooming facility at 1412 Q Street NW, we have been deprived of the ability to enjoy our adjacent R-5-B zoned home in the manner intended by the Zoning Regulations and without substantial and unreasonable interference as provided for by law. As the nearest neighbors to Wagtime (and the owners of a rental house at 1415 Q Street), we are subjected to constant and excessive noise disruption, 24-hours a day, seven days a week, from as many as 20 barking dogs, which are often housed outside and are visible from the patio at 1414 Q, which is but inches from the 1412 property. We cannot set foot on our patio to do even routine yard work much less attempt to dine al fresco without suffering a new barrage of nerve-wracking barking right at the edge of our property line. At times, the noise from the dogs continues into the wee hours of the morning, on weekends, disturbing our sleep and that of our neighbors. The noise from the kennel and boarding operation is akin to having a rock concert next door every day—a determination made by Wagtime's own sound engineers at their previous location, from which WagTime were forced to relocate as a result.

The stress caused by the constant dog barking is immense and has left us deeply distressed over the future of our residence in D.C. Our capacity to withstand this kind of abuse from our neighbors is limited, as are our options for moving; the opening of Wagtime has seriously diminished the value of our home.

In addition to the noise, odor from the operation has been so substantial that in August, Wagtime's own employees summoned D.C. fire and rescue officials to investigate the source of "chemical" fumes, which the D.C. hazardous materials officials determined to be likely due to a combination of heat and dog urine. The ammonia fumes from the kennel represent a serious health threat to us, Erik and Stephanie's unborn child, and our neighbors, not to mention a major obstacle to use of our own patio space or opening the windows in our home.

Q Street is zoned only for residential parking, which is already in short supply, and it has no loading zone or parking meters to accommodate commercial traffic generated by the business at 1412 Q. Wagtime employees park commercial vehicles without residential parking permits in front of the store, delivery trucks and customers routinely double-park out front when dropping off and picking up dogs. The horn honking of angry commuters begins at 7 a.m., when Wagtime operations begin to block traffic, and the noise only adds to the problems with the dogs barking. The Wagtime operation has further deprived us and our neighbors of adequate street parking near our homes.

As Wagtime is more akin to an agricultural operation, there is not sufficient accommodation for so many animals on the tiny patch of concrete at 1412 Q, sandwiched as it is among residential uses. As a result, Wagtime has serious problems with wastewater runoff flowing onto public property as they attempt to deal with the odor problem by hosing down the concrete driveway and sending a river of water into the alley. We and other residents must walk through water contaminated with dog urine and other feces to get to our garages and parking spaces. When this runoff begins to freeze as colder weather arrives, the alley may well become impassible.

BZA
Case No. 17092
Exhibit No. 2

Board of Zoning Adjustment
District of Columbia
CASE NO.17092
EXHIBIT NO.22

In summary, the zoning administrator's decision to allow Wagtime to operate a 24-hour dog boarding and grooming kennel at 1412 Q Street as a matter of right, we believe, is not simply erroneous, but has caused substantial damage to our legal rights and quality of life as property owners and residents located in the vicinity of this site. This zoning interpretation has in effect changed the zoning of our property and other neighboring properties located in the vicinity of WagTime to one akin to an industrial (CM or M) zoning district.

Appellants:

Erik Wemple and Stephanie Mencimer
1414 Q Street NW

John Weaver and Forrest R. Smith
1416 Q Street NW