BEFORE THE BOARD OF ZONING ADJUSTMENT

APPEAL OF ADVISORY NEIGHBORHOOD COMMISSION 2E OF PERMIT ISSUED FOR 1242 POTOMAC STREET, N.W., SQUARE 1219, LOT 45 — Case No. 17513

APPLICATION OF THE CITIZENS ASSOCIATION OF GEORGETOWN FOR PARTY STATUS AS A PARTY IN SUPPORT

The Citizens Association of Georgetown ("CAG") hereby requests that the Board of Zoning Adjustment grant it party status as a party in support of appellant, ANC2E , in accordance with 11 DCMR § 3106.2.

Name, address, and daytime phone:
Citizens Association of Georgetown
1365 Wisconsin Avenue, N.W. Suite 200
Washington, D. C. 20007
(202) 337-7313

Nature of application:
This is a request for party status as a party in support.

Legal counsel:
Richard deC. Hinds
Cleary Gottlieb Steen & Hamilton LLP
2000 Pennsylvania Avenue, N.W.
Washington, D. C. 20006
(202) 974-1500

Witnesses:
CAG will offer fact testimony from the following:
Barbara Zartman, Chair, CAG Historic Preservation, Planning and Zoning Committee

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17513
EXHIBIT NO. 21

Time:
CAG requests 15 minutes.

Reasons for granting party status:
For more than a century, CAG has defended the character of residential properties in Georgetown. The organization's advocacy led to the enactment by Congress of the Old Georgetown Act in 1950 which created the Georgetown Historic District and set forth the first zoning rules protecting primarily single-family homes of

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Georgetown. In 1967, the federal government designated the entire Georgetown Historic District a National Historic Landmark. CAG has devoted itself to protecting the interests of Georgetown's residential community in a time of great neighborhood change and development pressure.

CAG's membership is comprised of more than 1,000 homeowners and residents of Georgetown. Individual members of CAG live in the immediate area of 1242 Potomac Street, N.W., including the following persons living on the three short blocks of Potomac Street: James and Sarah Carroll of 1239 Potomac, Charlene King, of 1232 Potomac, Kevin and Elizabeth Lucia, of 1233 Potomac, and Jackie Hutman, of 1221 Potomac, and Seth and Cynthia Kirshenberg, of 1234.

The issuance of a building permit to allow additions to the subject property in violation of the lot occupancy (11 DCMR § 403) and nonconforming structure provisions under 11 DCMR § 2001.3 immediately impacts CAG members by diminishing open space, light, and air; intruding upon privacy; and perhaps threatening underpinnings of adjoining residences.

Further, by precedent and extension, the practice of permitting additions to single-family dwellings in violation of the lot occupancy and nonconforming structure provisions would undermine the zoning protections on which the character of Historic Georgetown is founded and would threaten the protections on which the entire community depends.

The harm would have a more significant effect on CAG's members than on residents of the public generally or on other neighborhoods because of the proximity and because of the protected character of the National Historic Landmark.

Conclusion:

For all these reasons, the Citizens Association of Georgetown respectfully requests that this application for party status as a party in support be granted.

Respectfully submitted,

Victoria G.K. Rixey

Victoria G. K. Rixey, President
Citizens Association of Georgetown

For the purpose of thoroughness:

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 Board? *CAG owns no property in the immediate; our office is on Wisconsin Avenue.*

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

3. What is the distance between the person's property and the property that is the subject of the appeal or application before the Board? (Preferably no farther than 200 ft.) *See reference to CAG members living in the immediate area.*

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 Board is approved or denied? *These impacts are included under "Reasons for Granting Party Status."*

5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Board is approved or denied. *See "Reasons for Granting Party Status."*

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 person's in the general public. *See "Reasons for Granting Party Status.,"*

CERTIFICATE OF SERVICE

I hereby certify that the foregoing request for party status was served on September 26, 2006, via first-class mail, postage prepaid, to the following:

Mr. Geoff Griffis, Chair
Board of Zoning Adjustment
441 Fourth Street, N.W.
Washington, D. C. 20001

Advisory Neighborhood Commission 2E
3265 S Street, N.W.
Washington, D. C.

Mary Carolyn Brown
Holland & Knight
2099 Pennsylvania Avenue, N.W., Suite 100
Washington, D., C. 20006

Bill Crews, Zoning Administrator
D. C. Department of Consumer and Regulatory Affairs
941 North Capitol Street, N.E., Suite 2000
Washington, D. C. 20002

Office of the General Counsel
D. C. Department of Consumer and Regulatory Affairs
941 North Capitol Street, N.E., Suite 9400
Washington, D. C. 20002

Office of the Attorney General
Land Use, Public Works, and Utilities Section
801 North Capitol Street, N.E.
Washington, D. C. 20002

Ellen McCarthy, Director
D. C. Office of Planning
801 North Capitol Street, N.E.
Washington, D. C. 20002

Betsy Cooley

Betsy Cooley, Executive Director
Citizens Association of Georgetown

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FAX

CONFIDENTIAL

DATE: Sept. 26, 2006

TO: 202·727·6072

FAX: Geoff Griffis, Chair, BZA

FROM: Barbara Zartman, Victoria Rixey, Betsy Cooler

PAGES: 4 (excluding cover)

NOTES: