

BEFORE THE BOARD OF ZONING ADJUSTMENT

APPEAL OF ADVISORY NEIGHBORHOOD COMMISSION 2E Case No. 17519
OF PERMIT ISSUED FOR 1812 35th STREET, N.W.,
SQUARE 1296, LOT 802

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.
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

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

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO.

17519

EXHIBIT NO.

17

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 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 1,100 homeowners and residents of Georgetown. Because the subject property is not within the boundaries of Historic Georgetown (the perimeter of the District runs down the middle of 35th Street), and because the blockfront directly across the street from the subject property is Hardy Middle School, we have no members who live within the immediate area.

The issuance of a building permit to allow additions to the subject property in violation of the lot occupancy (11 DCMR § 403) - without review by the Board of Zoning Adjustment - immediately impacts CAG members by diminishing open space, light, and air; intruding upon privacy; and perhaps threatening underpinnings of adjoining residences.

By precedent and extension, the practice of permitting additions to single-family dwellings in violation of the lot occupancy 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 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, President
Citizens Association of Georgetown

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? *CAC owns no property in the immediate area; 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.) *N/A*
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."*

I hereby certify that the foregoing request for party status was served on October 3, 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.

Ms. Gisela Garcia-Tunon
6504 Millwood Road
Bethesda, MD 20817

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, Executive Director
Citizens Association of Georgetown

Citizens Association of Georgetown

1365 Wisconsin Avenue - Suite 200

202-337-7313 Fax 202-333-1088

cagmail@cagtown.org

FAX

CONFIDENTIAL

DATE: Oct. 3, 2006
 Geoff Griffis, Chair

TO: Board of Zoning Adjustment

FAX: 727-6072

FROM: Barbara Zartman + Victoria Pivney

PAGES: 4 (excluding cover)

NOTES: