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BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA



FORM 153 – REQUEST TO ACCEPT AN UNTIMELY FILING OR TO REOPEN THE RECORD

THIS FORM IS FOR NON-PARTIES ONLY. IF YOU ARE A PARTY PLEASE FILE A FORM 150 – MOTION.

Before completing this form, please review the instructions on the reverse side. Print or type all information unless otherwise indicated. All information must be completely filled out.

CASE NO.: 18898

I, Charles Blankstein hereby request the following relief:

- ☒ Accept an untimely filing of objections
☒ To reopen the record to accept attached comments

Points and Authorities:

Accept an untimely filing: Please state each and every reason you believe the Zoning Commission (ZC) or Board of Zoning Adjustment (BZA) should grant your request to accept an untimely filing, including relevant references to the Zoning Regulations or Map. If you require more space, please use a separate piece of paper.

Reopen the Record: Please state each and every reason you believe the Zoning Commission (ZC) or Board of Zoning Adjustment (BZA) should grant your request to reopen the record, including relevant references to the Zoning Regulations or Map. The document(s) that you are requesting the record to be reopened for, must be submitted separately from this form. No substantive information should be included on this form.

I request acceptance of my comments now because I was hospitalized with a heart condition and subsequently bedridden at time of hearing on 18898. I was an active participant in negotiations of "Conditions" until late November.

I am unable to use your website.

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. (D.C. Official Code § 22 2405)

Date:	2/15/15	Signature:	Charles Blankstein
Name:	Charles Blankstein	E-Mail:	Blankst@arl.com
Address:	2935 Kanawha St N.W.		
Phone No(s):	202-966-4777	Fax No.:	

Board of Zoning Adjustment
District of Columbia
CASE NO.18898
EXHIBIT NO.43

February 25, 2015

RECEIVED
DC OFFICE OF ZONING
2015 MAR -1 PM 2:42

Mr. Lloyd Jordon
Chairperson
DC Board of Zoning Adjustment
441 4th Street – Suite 200S
Washington, DC 20001

Re: Comments on Board of Zoning Appeal re Ingleside 18898

I am a long term resident at 2935 Kanawha St. N.W I was an active participant in an effort to negotiate protections for neighborhood residents and streets over a period of many months in 2014 I was hospitalized and bedridden when the 18898 hearing was held I filed a Form 153

Approval of this project in its present form is at best premature and unsupported by independent examination of the many risks the project imposes on D.C taxpayers, citizens using affected thoroughfares and particularly citizens living on streets near the project Ingleside proposes to shoehorn an enormous construction project into a property which has only two entrances both of which will heavily burden public and private interests in the area Ingleside has been unwilling or unable to fully disclose the true scope of these burdens such as the raw weight of building materials, vehicles and rubble removal which will roll over city streets which have old, fragile infrastructure Who pays for the inevitable damage? DC taxpayers? Local home owners? This is an inexcusable overreach by a wealthy corporation trying to extend its current largely tax-free status to a massive program of high price, taxpayer subsidized apartments At best, the result will be to change the character of the neighborhood at the expense of DC taxpayers, and especially the old, settled neighborhood north of Military Road

Ingleside's assurances of protection of neighborhood streets north of Military Road have already proven to be misleading Our concerns include primary construction traffic, parking on local streets by workers and subcontractors, pollution, rubbish and other threats to citizens (especially children and the elderly) and property From the outset many months ago Ingleside gave assurances to the community that it would protect to the neighborhood against such problems

Protection of local streets north of Military Road, west of Utah Ave and east of Nebraska was specifically negotiated for inclusion in the body of "Conditions" for BZA approval. However, these protections have been removed without notice to the community from the approval document before the BZA Furthermore, we are now told that the "Conditions" document negotiated over a year's time as intended to be binding on Ingleside is not considered binding by them. Protective language was first shifted from the body of the "Conditions" document to a "Schedule C" and then "Schedule C" disappeared. There appears to be no legally binding protection of the

north of Military Road neighborhood although other surrounding interests are specifically protected

It appears that the good faith efforts of the community to protect itself from damage have been destroyed by bad faith manipulation of the relevant documents before the ANC and BZA. The BZA should investigate these problems before approving Case 18898

The neighborhood must be protected by the BZA because the ANC led the community to believe legally enforceable protection for neighborhood streets would be assured. ANC at best dropped the ball on assuring legal protection for neighborhood streets. Protection should be insisted upon by the BZA and made enforceable by law

In light of these manipulations, it is clear that current enforcement provisions are woefully inadequate to provide a meaningful disincentive to violation of ANC's proposed conditions to protect local citizens and streets. Compliance should be enforced by law, not a virtually meaningless fine regime.

Thank you.

A handwritten signature in black ink, appearing to read "Charles Blankstein". The signature is fluid and cursive, with the first name "Charles" being more prominent than the last name "Blankstein".

Charles Blankstein