Gerald D. Smith
5805 – 5th Street, NW
Washington, DC 20011
(202) 882-7893 [Home]
(202) 347-7757 [Office]

BZA
Case No. 16686
Exhibit No. 28

BZA 16686

To The Residents
5800 Block of 5th Street, NW

Attached is a petition that several residents requested me to write as a part of our combined efforts to prevent the conversion of 5812 –5th Street into a rooming house.

If you agree with the sentiments expressed, I ask that you sign the petition and **individually mail** the petition to Sara Benjamin. If you wish to send the petition electronically, or wish to have an electronic copy of the petition, please send me a request at asagai@bellatlantic.net and I will get one to you.

RECEIVED
D.C. OFFICE OF ZONING
2006 NOV 13 PM 3

In addition, please do the following:

(1) Call the Mayors Office (202) 727-6263

(2) Call the Neighborhood Services Director, Patrick Canavan (202) 727-6053

(3) Call Ms. Benjamin (202) 727-5372

(4) Call Councilman Adrian Fenty (202) 724-8052

(5) Call our ANC Representative Judith Anderson (202) 291-3226

(6) Plan to attend the hearing on the 17th at 1:00 p.m.

(6) Call every time you think about it – **be a complete nuisance**

#28

Board of Zoning Adjustment
District of Columbia
CASE NO.16686
EXHIBIT NO.28

April 10, 2001

PETITION FOR RELIEF

Ms. Sherri Pruitt Williams, Secretary
Zoning Adjustment Board
One Judiciary Square
441 – 4th Street, Rm. 210 South
Washington, DC 20001
(202) 727-6311 [Phone]
(202) 727-6072 [Fax]

Ms. Sara Benjamin, Public Relations
Zoning Adjustment Board
Zoning Adjustment Board
One Judiciary Square
441 – 4th Street, Rm. 210 South
Washington, DC 20001
(202) 727-5372 [Phone]
(202) 727-6072 [Fax]
sbenjamin@dcoz.dcgov.org

WHEREAS, we, the residents, with property facing or abutting on the 5800 block of 5th Street, NW, voting, tax paying, home owners or long-term lessees, have great pride in the significant peace and reasonable tranquility of our neighborhood,

AND WHEREAS, we have taken consistent and united effort in the past to protect the integrity of our resident city block,

AND WHEREAS, we have long been concerned with the presence of the property 5812 – 5th Street, NW owned by an absentee landlord, who has been strongly resistant to our joint efforts to preserve a reasonable level of civility and orderliness in our immediate environs,

AND WHEREAS, we have had a growing concern over the past several months with the condition and conditions surrounding the habitation of 5812 –5th Street, NW since the departure of the long-term lessees of that property,

AND WHEREAS, the owner of the property, 5812 – 5th Street, NW, has indicated and does petition to convert said private residence into a public rooming house [either for seniors or for non-seniors],

AND WHEREAS, we have had great concern over the past several months that the home was being operated as a public rooming house even before the proper application was filed or approved or the proper inspections obtained; thus establishing a pattern of non-compliance with city ordinances,

AND WHEREAS, the recent residents of the premises [5812 – 5th Street, NW] have been extremely transitory; have displayed a complete lack of concern for the safety, protection and welfare of the residents of our block; have disturbed the domestic tranquility by playing loud music at unreasonable levels and at times when the majority of residents would seek peace and quiet; and have displayed an inappropriate and threatening interest in the premises and personal belongings of their neighbors,

AND WHEREAS, the number of breaking and entry crimes and other unsavory activities, immediately in the area of 5812 –5th Street, NW, has occurred consistent with the recent operation of the premises 5812 – 5th Street, NW as an unapproved, transitory rooming facility,

AND WHEREAS, the unsavory activities occurring both inside and outside of the premises, 5812 –5th Street, NW, has repeatedly occasioned the necessity for the Metropolitan Police to be called to the premises; both by the transitory residents and by others in the neighborhood who feared for the safety of both residents of the premises and for those outside of the premises,

AND WHEREAS, the majority of the residents of the neighborhood block are seniors who have a right to a reasonable level of safety, security, in and about their premises, and tranquility consistent with a family oriented neighborhood situation,

AND WHEREAS the resident homeowners have made a substantial investment into their properties and pay a high level of taxes consistent with those investments,

AND WHEREAS, we, the neighbors, already have great concern for the protection of our properties due to the poor physical and repair conditions evidenced with 5812 – 5th Street, NW, and the great danger of fire

beyond 5812 –5ht Street, NW or physical injury to the residents inside of the property,

AND WHEREAS, the neighborhood has already seen the creation of two other community-based rooming facilities; book-ending our block on both the northern and southern perimeters of the 5800 block of 5th Street, NW,

AND WHEREAS, the residents of the 5800 block of 5th Street, NW are familiar with tactics that can be, and are employed, to lower the value of stable properties, to drive away seniors and established families, who can be made to flee their homes of several decades for fear of their safety, thus allowing the preparation of housing stock for conversion to "urban pioneering" residents,

AND WHEREAS, we believe and are assured that it is the duty and responsibility of the Board of Zoning Adjustment to protect the integrity of resident neighborhoods and to provide for the common and majority welfare,

NOW THEREFORE, we petition the Board of Zoning Adjustment to deny and prohibit any variance or modification that would allow conversion of said property [5812 – 5th Street] into a rooming facility **of any kind or for any or purpose what-so-ever,**

AND WE RESOLVE, to utilize every and all means; legal, judicial, civic or direct-action to prevent this assault on our resident properties, to eliminate this endangerment to our persons, to end this jeopardy to our possessions or this aggression on our sanctuary.

James W. Lane Agnes S. Lane 4/11/01

Name(s)

5818 5th St. N.W.

Address

202 726-5227

Home Phone