GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

March 30, 2004

Ann Goodman
3254 O Street, N.W.
Washington, D.C. 20007

Re: BZA Application No. 16696 - 3254 O Street, N.W.

Dear Ms. Goodman:

The Office of Zoning (OZ) received your letter (attached) dated March 25, 2004, on March 29, 2004, concerning the above-cited application. In your letter, you request that OZ make corrections to the record in this application. As you know, the record in your application has been closed for some time. Please be advised that any material correspondence received by the Board of Zoning Adjustment (Board) after the close of the record that bears upon the substance of an application must be returned and not received into the files of the Board pursuant to subsection 3121.9 of the Zoning Regulations. As such, I am returning your letter to you.

If you have any questions relevant to the foregoing, please call Richard S. Nero, Jr., Chief, Support Services, on (202) 727-6311.

SINCERELY,

JERRILY R. KRESS, FAIA
Director, Office of Zoning

rsn
Attachment

BZA
Case No. 16696
Exhibit No. 101

Board of Zoning Adjustment
District of Columbia
CASE NO.16696
EXHIBIT NO.101

Ann Goodman
Interior Architecture and Design
3254 O Street, NW
Washington, DC 20007
T: (202) 333-3288 F. (202) 333-3266

March 25, 2004

Ms. Jerrily R. Kress
Board of Zoning Administrator
441 4th Street, NW
Suite 210
Washington, DC 20001

BZA Case # 16696

Dear Ms. Kress,

After having finished all three letters yesterday, I went home to discover this article in the Georgetown Current!

When we reduced the 31-foot height to 20 feet, OP sent us back to the Zoning Administrator as OP said **we no longer needed a variance as we were a grandfathered, R-1B detached, and were fully within the code guidelines.**

It was Michael Johnson alone who *misconstrued the zoning code and* insisted we needed a variance. Apparently, Michael Johnson made similar mistakes on other peoples applications so he was removed from office!

The only objection from ANC was based *solely on issues, which are not under ANC jurisdiction*; therefore, on *all valid issues before the ANC*, **THE ANC UNANIMOUSLY APPROVED OUR PORJECT.**

Please kindly correct this application so that it may properly continue with the permitting process without the need for either a variance or for a special exception.

Thank you for this consideration.

Sincerely,

Ann Goodman

Wednesday, March 24, 2004 Serving Foggy Bottom, West End, Burleith, Foxhall, Georgetown, Georgetown Reservoir & Glover Park Vol. XIII, No. 33

THE GEORGETOWN CURRENT

NORTHWEST REAL ESTATE

ZONING

From Page 1

The powerful position within the Department of Consumer and Regulatory Affairs has been vacant for nearly a year. Two recent applicants, sources say, withdrew from consideration just before they were hired.

Now rumor has it that the post may become victim of a citywide budget edict forbidding most agencies from filling vacant positions. Mayoral aides would not confirm that rumor, but other officials say the chief financial officer has directed that all vacant positions be eliminated for the coming fiscal year.

The zoning administrator, ultimate arbiter of zoning rules within the department, heads the office that reviews building plans to decide whether the height, density, other dimensions and, in some cases, uses, comply with the zoning code.

The job is important not only because it oversees much of the flow of development, but because errors can lead to expensive appeals, possible orders to alter or tear down buildings, and some pretty costly lawsuits against the city.

Examples of errors abound.

"There needs to be a competent and dynamic zoning administrator, somebody who understands the zoning regulations and has some institutional memory of how they should be applied," Mendelson said.

Turnover in the office "is never good, because you want consistency and somebody with a body of knowledge" of the city's sometimes arcane zoning law, said Barbara Zartman, a Georgetown activist. "And lord knows," she added, "we've had nothing but turnover."

Recent zoning administrators have not lasted long.

Michael Johnson, recruited from a similar post in Denver by Mayor Anthony Williams, was forced out in November 2001 after two years on the job. Johnson branded himself a reformer, but several citizen groups complained he was unresponsive and often misconstrued the zoning code.

His successor, Robert Kelly, a building-code expert recruited after a nationwide search, didn't last a year. Sources said Kelly got fed up with the constant and competing pressures from developers and citizens and resigned to join a private trade association in March 2003.

The position has been vacant ever since.

matters for the Board of Zoning Adjustment and the Zoning Commission, the board heard 10 appeals of zoning administrator decisions in fiscal 2002 and 17 in fiscal 2003.

This fiscal year, according to testimony from director Jerrily Kress, the board has a time-consuming appeal case nearly every week. It also appears that more appeals are being granted, she and others said.

Chris Bender, spokesperson for the city's Office of Economic Development, said last week that the Department of Consumer and Regulatory Affairs is still searching for a new zoning administrator.

But Bender said he "disagrees with the assertion" that the lack of a warm body in the job is the source of problems or even that the number of errors is increasing.

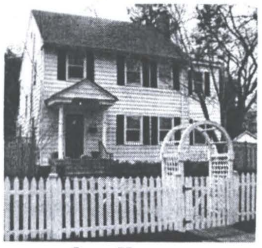
"There's a ton of development, and not as much space, so zoning decisions hit closer to home. I don't agree there've been more errors. There's less and less land, so there's more and more tough choices," Bender said.

Bender also said the department has a "management structure set up" to handle zoning review even if the position of zoning administrator remains vacant.

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March 24, 2004

Ms. Jerrily R. Kress
Board of Zoning Administrator
441 4th Street, NW
Suite 210
Washington, DC 20001

BZA Case # 16696

Dear Ms. Kress,

Thank you for your suggestion, however, we are currently held up in the Court of Appeals as Corporation Council testified that our house is three-story/four bedroom, which it has never been true since it was built prior to 1830! Cellar spaces she is referring to as habitable are only six feet, six inches (6'-6") high. When I asked her why she kept insisting we were three-story/four bedroom when our cellar is less than 7'-6", she asked me why I didn't just move. This does not seem to be a proper way to treat people, to me. In fact, I feel we have been mistreated at every point of this process, and the idea to put the "2nd" story on the garage did *not even originate with us.* I was at Zoning asking if I could build up fifteen feet for storage, and the reply was, "Not only can you go up fifteen feet for storage, you can also have a second story for a maid's quarters over your garage as your are a grandfathered, R-1B property."

Before reapplying, I would like to understand why I feel so many things went wrong with the first application. I am wondering if you could help me? I would be most grateful to you for this. If I can at least understand what happened to me, and if I can come to understand that I was treated reasonably and fairly, I will be able to accept the situation and not waste $800.00 more dollars. As it is, I have been left with so many questions that I cannot even sleep at night.

While I perceive that the opposition "slam-dunked" us before the ANC, particularly as we did not even have the information that we even needed a variance after reducing the 31-foot height to 20-feet, and as they combined both petitions into one and presented 70 signatures in opposition to the 20 ft. height (when 50 of these signatures were for the 31-foot height and only 21 signatures, including the signatures of children were for the 20 ft height.) We stated this at the BZA hearing. If I were a BZA member, I would be furious with any group of people who behaved in this way, but instead, they\ BZA supported them. I do not understand why the BZA didn't throw out the false petition.

The ANC unanimously rejected us based on "*precedent and air,*" the only issue they felt were valid from a list of 50+ issues Opposition presented. As OP wrote that "air" was not an issue and as the BZA subsequently said "precedent" was also not an issue either, and as *an ANC is not supposed to concern itself with either of these two issues,* why

wasn't the ANC opinion rejected by the BZA? *They had no legitimate reason to oppose at all*! We were told that if no one on the ANC voted in our favor, the BZA would reject us, and that is exactly what happened despite the fact that, to date, there are no issues to oppose on from any one. The "use" issue was just made up out of the blue by Mitten and even corporate council was unable to find such a law. If I reapply, do I now have to apply for a "use" variance, which is not even in the code?

Why, after the Office of Planning stated that (1) "the proposal will not in itself impair the intent and purpose of the Zone Plan and Map since there are various other accessory buildings in the neighborhood that are approximately of the same height as the proposal," and that (2) "the accessory building shall not be rented and shall be used only as a maid's a quarters and elderly parent," (which supports the concept that the code does not prohibit habitable space over garages), and (3) "The expansion will change the views from adjacent properties but will not block their light and air" wasn't our application corrected to being a "special exception"? Apparently the city sent us for the *wrong thing*, why shouldn't the city apologize for the delay and *correct itself*? Shouldn't a portion of our filing fee also be returned as special exceptions cost less than variances? Isn't this the proper way to treat a taxpaying citizen? What am I missing here?

Why didn't the BZA recognize that all the opposition fuss was *not for our project at all*, but for the unsubstantiated fear that Opposition was so successful in spreading, the fear that the alleys in all of Georgetown would fill up with 2nd story garage apartments which would cause enormous parking, city services, building and population density problems and fire code issues. While the neighbors did not realize that we were an R-1B grandfathered into an R-3 district, *surely the BZA recognized this*. In a later phone call to the BZA, I was told without equitation that we could *not* be used as precedent for typical R-3 properties.

The BZA acted like the manager of a crowded theater with a microphone. When the false cry of "FIRE" went up from Opposition, instead of using the meda-power to calm the crowd down, the BZA yelled out a different exit to use and we got crushed!

OP also registered in a concern that we could be used as "precedent" which was totally incorrect and which was their reason to reject us. They stated, "This application could open the door and give weight to the desire of other property owners to convert or make additions to their garages and in effect increase the density in the area as well as having a detrimental effect on the already adverse parking situation." This amounts to rejecting our proposal because all the other property owners do not qualify too! Could you please help me to understand the logic here? Otherwise, the Office of Planning *recognized our project as qualifying under a "special exception"*? *We shouldn't have to prove any hardship at all!*

I thought that was the specific reason the BZA existed: to recognize when one property impaired the intent and purpose of the Zone Plan and Map and another property did not! Is my thinking off, here?

Also, several people opposed us on "use" as habitable quarters. Again, this is not a code restriction, nor anything to be addressed by the ANC, so they had not right to do so, nor to sign a petition before the ANC on such an issue. And two former commissioners of the ANC did this!

Why didn't the BZA throw out all signatures in opposition, as not even one of the complaints proved to be valid? How would you feel if *your* project, which passed all tests to the extreme with flying colors, showing that it did *not* impair the intent and purpose of the Zone Plan and Map, and then was rejected for no valid reason at all?

While Opposition attorney, Gross, testified that there were several similar properties in the next block, did anyone from the BZA ever check to see if he had made another mistake? No, they just quoted him and said we were therefore "not unique." If anyone had noted the Zone Plan, they would see that, what appears to be detached homes in the next block are actually semi-detached as they only have one side yard each. Because there is a side yard between each house, they appear to be detached, but they are not. There are only two detached homes over there and both already have 2nd story garages. (One was recently made his habitable.) Both of these properties are typical R-3 detached; so neither is permitted the maid's quarter nor can we be held as precedent for them as neither is an R-1B property- even if they *didn't* already have two story garages.

Why didn't Corporation Council correct the error, which Chairperson Reid and Member Geoffrey Griffis made with respect to getting the facts wrong on the Decision Day discussion? Surely she was aware of it. Isn't that why she's there? As both Mitten and Levy were aware of it, why would they proceed with a vote knowing the other two had the facts wrong? Why would they so fervently oppose us as to go to this extreme? Shouldn't they be serving us as impartially as the opposition?

Also, city authorities sent me to get a variance for building a *second story*. This is an understandable error; however, once pointed out, shouldn't our case be reexamined? According to the Zoning Codes (as we testified in the record) what looks to be a 2nd story addition is technically a **1st story** as (Section 2516.7) "the height of a building governed by the provisions of this section, in all zone districts, shall be measured (up) from the finished grade at the middle of the front of the building." In our case, finished grade is 2+ feet *above* the concrete slab. According to the definitions in code Section 199.1, a "**Story**" is "the space between the surface of two (2) successive floors in a building or between the top floor and the ceiling or underside of the roof framing. The number of stories shall be counted at the point from which the height of the building is measured" *The slab cannot be considered in this count as it is below the point the building height is measured from.* As the first floor *above that point* is the floor of my proposed structure, my project, when completed, would be a *first story not, a second* story. (There is also no ruling that a 1st story accessory structure cannot be fully habitable.)

According to Section 2400.4, "An accessory building in any zone district shall not exceed one (1) story or[1] fifteen feet (15 ft.) in height, except as provided in Section 2500.5." **On a sloping land such as mine, one story may exceed the fifteen-foot height limitation** as discussed above. OP testified that "The additional building height requested is just enough to support the roof over the garage and the room height as specified by the Building Code. Under the Zoning Regulations the additional 7-feet over the existing garage would not meet the Building Code requirements." Georgetown is built on a hill and there are other garages, which appear to have 2nd stories but are technically 1st stories. They all exceed fifteen feet.

I believe that the BZA handled my case incorrectly. I believe that it was their duty to *reassure neighbors* that we, *being the only R-1B property* (which neighbors were not aware of), could *not* be used as precedent for typical R-3 properties and that *no one need worry about anything.*

I believe that, as the OP review of our application found that our project **did not "impair the intent and purpose of the Zone Plan and Map"** and **that it did not exacerbate any of the issues the code was enacted to protect,** i.e. **a.** light & air, **b.** population & building density control, and **c.** transportation & public services, the BZA should have **corrected our application to be for a "special exception" and not for an "area variance"** instead of insisting that we need a "use" variance with no code to site.

Is it possible for you, as head of the BZA, (1) *to recognize these mistakes*, (2) *to throw out that portion of the case which followed the OP finding*, (3) *to reverse the Order* as *we comply with (and far exceed)* all requirements as a " special exception?"

Actually, we should not even need a "special exception" as we are a grandfathered R-1B property and the BZA acknowledged that we were the first case to be denied. I have noticed that other anomalous grandfathered properties are respected for what they were before the codes were enacted. Georgetown, west of Wisconsin, has many anomalous apartment buildings and shops, which were included in the R-3 designation. If they can be recognized for what they were before the codes were enacted, why can't we, an R-1B property?

As things now stand, our oversized R-1B property, in a *much less restrictive* R-3 district, a property surrounded by other 2nd story garages on smaller, typical R-3 properties and flanked on both sides of a short alley by two apartment buildings at 100% lot occupancy, is now *the most restricted property in the entire city. And we would still be at 33% lot occupancy!* Perhaps you can see why I just cannot understand this at all!

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[1] It does not say that an accessory building may not exceed *either* one (1) story or fifteen (15 ft.), nor does it say that an accessory building may not exceed one (1) story *and* fifteen (15 ft.), but that it may not exceed one (1) story *or* fifteen (15 ft.) feet. According to the definition of a story, on sloping land, you cannot always get one story to be habitable without exceeding 15 feet in height.

Please try to help me. This has been a most frustration ordeal for me.

Sincerely,



Ann Goodman

cc: Councilman Evans and Toye Bello

Interestingly enough, the six-foot, four inch (6'-4") diameter tree to the rear of my house, which would be removed if the house were extended, is now protected under the Urban Tree Act. Apparently my desire to preserve this tree is so significant as to now be shared by the entire city.

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March 24, 2004

Councilman Jack Evans
One Judiciary Square
441 4th Street, NW
Suite 703
Washington, DC 20001

BZA Case # 16696

Dear Councilman Evans,

Thank you for noticing my letter regarding the above case. Correcting the wrong that I have suffered would be a worthy project for your office as it reveals *many flaws in the permitting process.* These flaws have stripped a neighbor (me) of the very rights, **property rights**, which the Constitution was adopted to protect! And this happened in Georgetown-the earliest part of nation's capitol!

Below is a list of grievances that should not have happened and suggestions for preventing it from happening to others:

1. No neighbor should have the ability to attach incorrect information to a project in order to get it rejected. (I have seen this happen subsequent to my case.)
    - Before any petition of opposition is circulated, the issues should be reviewed and registered by an impartial recognized authority in order *to insure that they properly apply to the situation.*

2. When presenting a petition in opposition to neighbors, the Opposition admitted before the BZA that she intentionally *verbally* misrepresented my project as a "3-story, multi-unit apartment building *in order to get* (adverse*) signatures*" (!). That's not right either.
    - Maybe an ANC commissioner or recognized impartial authority should take the zoning approved petition around- *alone.*

3. All involved with my project, ***except the BZA***, believed Opposition's false representation of my project as *precedent setting* for *all* garage owners to do likewise. This set the neighborhood afire as city services, *parking*, building and population density issues and fire code concerns arose. As meetings were held to which we were not invited, *no one* realized that my property was *the only grandfathered, R-1B property in the area (5,533 sq. ft.)* and that I, *alone,* was permitted the maid's quarters over the garage, and that *none of these issues applied to my property.* Neighbors stated that they opposed as they believed that the typical R-3 row house *next door to* <u>*them*</u> (2,000 sq. ft.) would be able to build a 2nd story on *their* garage if I were permitted to do so. This was not even close to

reality- but Opposition successfully excited the whole neighborhood, CAG, ANC, and your office into believing it.

- No neighborhood meeting(s) should be held in opposition without inviting the Applicant to participate as this only encourages misinformation and/or opinions which, the Applicant should be permitted to address. Perhaps ANC commissioners should also be invited to attend.

- Before ANC et al., oppose anything, the issue of concern should (a) be determined to be properly applied to the project or, (b) a project may be rejected but with the caveat that if the issue of concern is later discovered to have been erroneously applied, the vote is automatically reversed or the project may be reopened before the ANC without impunity. At which point, no additional issues may be brought forth.

4. My ANC commissioner told us that the ANC had already decided to reject us before we even presented anything to them, so they limited us to 5 minutes and rejected us without bothering with the facts. This is not the correct position for any ANC to take.

    - If a project is too complicated, it should be postponed instead of being rejected out of hand, in order to have a more in-depth review.

5. After I reduced the proposed height of the project from 31' to 20', a second petition in opposition was circulated for the 20' height. *Both petitions were combined, containing duplicate signatures,* and presented to the ANC, to you and others as massive rejection of the 20' height. This was also wrong. We did not realize what had happened until *after* the ANC rejection.

    - If opposition submits information that is blatantly intended to confuse and/or mislead city agencies, the opposition should be ignored altogether and, if this information is discovered *after a vote of rejection, this should constitute an automatic reversal.*

6. In my own case, Opposition, *accompanied by a student commissioner*, falsely informed all formerly assenting neighbors that I had shown them a *smaller* drawing in order to get their approval, then I had *switched drawings* for a "3-story, multi unit apartment building" (which the *knew* they had <u>not</u> approved.). A more seasoned commissioner would have known to *double-check these facts* before lending ANC support in accompanying such a slanderous mission.

    - Fortunately, this probably does not occur too often, but if is should, *the offended party should not be ignored.* <u>This is an extremely serious action on the part of the accusing neighbor.</u> Surely, no such action would even occur to an Applicant. However, this does draw attention to the fact that the elder members of the ANC should be more watchful of younger /newer members as, at best, they are in training.

If there is a case such as my own, your office should have someone who can study it a) to correct errors with respect to property rights as I am sure you would not like to have this happen to yourself, to any one else, or to me, for that matter and b) to insure that the process does not need revising, which it obviously now does.

For several years, I have watched projects be presented before the ANC and have observed the process. I note that *in most cases*, only disgruntled neighbors attend. Please note the attached letter I sent to the ANC commissioners. More recently, I have become the (anonymous) "supporting" neighbor (for worthy projects). This gives the commissioners a fleeting opportunity to approve the project as not *all* of the neighbors oppose. But still, I feel that the commissioners are put under improper and undo pressure.

Maybe there should be a forth option available to them. Instead of approving, rejecting or delaying a project, maybe they could simply note the neighborhood issues and pass this information on to the OGB for greater scrutiny without impugning the nature of the project or appearing to ignore opposing neighbors.

In speaking with the Zoning Administrator about the permitting process, I learned that other ANC's have a Zoning Review Section, which acts as a troubleshooter. A case such as my own would be reviewed *before* presenting to the ANC, and such issues would be addressed so as to avoid unduly burdening the volunteer commissioners.

I have a degree in architecture from Pratt Institute, NY, and have spent many years studying historic structures, and have owned property in Georgetown for fifteen years. After my own experience, I have become engrossed in the Zoning Codes and permitting process, as you can understand. I feel I could contribute to such a pre-ANC committee. I am thinking of contacting Mr. Ray Kulkulski, former CAG president to see if he is interested in working on this with me.

Any input from you would be most welcome.

Thank you again for your concern in these matters

Sincerely,

Ann Goodman

CC: Mr. Gotleib Simon, Ms. Jerrily Kress, BZA, Mr. Toye Bello, Office of Planning

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March 25, 2004

Ms. Mary T. Connelly
Appellate Division
441 4th Street, NW
6th Floor, South
Washington, DC 20001

Dear Mary, **BZA Case # 16696**

When I called you the other day to ask why you keep testifying that my two-story, three-bedroom house is a three-story, four-bedroom house, I was shocked at your blithe reply as to why I didn't just move. No one I mention this to can believe how rude your reply was, but I later realized that it could also have been entirely innocent on your part, so I decided to respond with the hope that you might see another perspective hitherto overlooked.

I first became aware of Georgetown as a young teenager when my mother pointed it out to me. As a child, we lived directly across the James River from Berkeley Plantation and celebrated every Christmas in Colonial Williamsburg. The character of Georgetown, which is similar to Williamsburg, but privately owned, is home to me. It was only a childhood fantasy to think I could one day live in Georgetown.

I received a Bachelor of Architecture from Pratt Institute in New York, where I engaged in many arguments over the architectural design direction taught at that time; it was termed "The New Brutalism." I preferred classic design, which was highly frowned upon. No detail, no ornamentation, no wasted space, Sullivan's "form follows function" superceded all ten of the Commandment. I did not agree; I liked the softer, harmonious designs with classic lines, which subsequently returned to architectural design about 15 years later. Many of the buildings of "my era" are now deemed "downright ugly" and are being refaced or replaced. (Thank goodness!)

I wanted to live on a cobblestone street since before you were born. I spent much of my childhood strolling up and down the cobblestone Duke of Gloster Street in Williamsburg, and visiting probably all of the historic homes along the East Coast. I really never dared to dream of living in a house such as the one I now have- and on a cobblestone street! It was not until after we bought the house, which was in desperate need of repair, that I discovered that the English Boxwood Garden had a circular brick sidewalk! This is an historic feature of colonial gardens, originally made popular in Italian Renaissance period, which was another dream-come-true within itself along with the Old English Boxwood!

Vegetation had completely grown over the old bricks, which still retained their herringbone pattern. I painstakingly replaced broken brick with matching old bricks, which I saw the city workers carelessly discarding. After work, at night in freezing weather, I would dig though

trash piles heaped on the streets so as to fill the trunk of my car with these old historic bricks. (Now, after noting my efforts, someone caught on that these bricks should be preserved and reused so, I no longer have this source.)

For the first two years, I did not work outside the home, but spent that time renovating. I woke up with the sun and work steadily until 11:00 or 12:00 midnight. I was in so much pain from the physical strain that, at night before bed, I would take a hot bath and Ibeuprophan which would reduce the pain enough to be able to continue working the next morning. My hands were so raw that I had to sleep with special gloves to keep the Kerodex treatment on them. Much of the time, I did not hire people to come into the house and do the work because I had seen their lack of care for other homes in Georgetown. I had seen them with their machines, grinding down and, in my opinion, damaging historic structures without concern. Much of the work was skilled and tedious and specialists to do such work probably do not exist. I, personally, stripped each step of the staircase. The old pine was too soft for modern equipment. It took two years to complete as I had gone back at work full time. Paint had filled the gaps left by the sagging side-nosing. Each piece had to be removed, soaked in paint remover, gently brushed and replaced.

I, personally installed panel molding in the front hall, stairway, and 2nd floor hall because the walls, being hand plastered, were too uneven for a contractor to work with. Each corner had to be literally re-carved in order to aligned properly. Thresholds, which were splintered and broken, had to have individual templates made, custom milled and custom stained to match the old softwood floors. I could go on indefinitely....

It took years of ferreting through architectural antique shops, shows and websites to properly restore the house to authentic character. When we bought the house, the former owner had stated that she knew it was a "project" and I came to fully understand what she meant. I know you do not understand this as you made the comment that if the house were to be extended to the rear, the historical character would not be disturbed if the period style were copied. I would like to think you were honest in you comment. However, to any art or architectural historian, this statement is similar to saying that there is no difference between the Mona Lisa and a contemporary copy, or between a period bronze and a reproduction.

And yes, I am aware that many people extend their houses and use reproductions and I applaud them for doing so as it is a best effort to adapt these structures to accommodate modern needs. I would not expect anyone to restore a house as I have nor do I believe that many houses are worthy of such efforts, despite the fact that they are historic.

In my own (unique) case, extending the house would block the scarce sunlight to the interior of the house, as testified in writing by a licensed architect, practicing in DC. Unlike most houses in Georgetown, my house was designed as a small, detached farmhouse which was *not* designed in anticipation of building a solid 30+' high wall only 7' to the east. Already, one bedroom has the ghastly view of the broadside of the neighbor's wall, which is very claustrophobic. Destroying the current character of either the house or the garden for no

other reason than to accommodate a domestic would hardly be reasonable. That is probably why domestics were permitted over garages in the first place.

When you noted that others have extended their homes to the rear, are you also noting that it is solely to accommodate a domestic or are they adding a living rooms and/or kitchens for their own use? Do you require an architect to see that locating domestic quarters on the southern elevation (direct sunlight source) and blocking the small, narrow house from the garden view, would be counterproductive? Are the others on grandfathered R-1B sized lots or larger, which had hitherto been permitted the 2nd story garage accommodations for domestics? or are they wanting an extra large living space which would need to be at the back of the house and not even possible over their garage? Do they even have garages? And, if all the answers to the above questions are yes, could they extend their garages to 20' *without violating any of the principals the Zoning Codes were adopted to protect*, as OP testified in my case? Have you really fairly annualized my situation?

While the report on the old brick arched cistern stated these structures were plentiful, when I asked Mr. Dennee where even one other could be found, he did not know. And even if he did, he stated that mine was in exceptionally good condition and *should be preserved.* Will that other person with the historic brick-arched cistern, should he even exist, make any effort to preserve it? Not likely. He is more likely to fill it in and build on top. Isn't it a good thing to have someone make an effort to preserve something? My house *could have been* a "safe house" and that cistern *could have been* where the escaping slaves would hide along the Underground Railroad, when the officials came in search of them. This piece of history *cannot* be replaced and you (the city) are busily trying to get me to destroy it instead of encouraging me to preserve it. I just cannot understand this? Particularly in Georgetown!

Now for moving: We have an entire house full of antiques. Antiques are fragile and every time they are moved, damage as well as theft occurs. Insurance cannot replace this. Large antique frames have to have custom crates built for them, larger furniture with parquetry, antique glass mirrors, double curved custom glass are all at risk and likely to suffer at least some degree of damage. Matching antique mirrors is impossible if they are broken. We also have an antique China and crystal as well as around 500 pieces of antique sterling, which has taken a lifetime to collect. All not replaceable at any price. You are most welcome to verify everything for yourself, if you like.

I might also mention that this is why I cannot have transient domestics filing in and out of my house. To date, I have never had one that did not steel from me; live-in domestics are less likely to behave this way. Every time a new maid comes in, she inevitably breaks things. It would take years to train someone how to take care of my house the things that are in it and so far, no one has stuck around long enough to even for me to even bother trying. I am at the point where I prefer to live at a lower standard of cleanliness, and eat out of cans rather than always wonder if I misplaced something or if the maid took it..... My 85 year old mother is shocked at this lower standard of living. I just told her that at 56, and working full time, I get too tired and there is not enough time for me to do everything anyway. I could handle

everything when I was younger; I love to work, contrary to Tom's letter, but I no longer have the energy.

As for the numerous similar properties in the block just west of me, did you ever check to see if that information was accurate? Yes, there are houses with side yards between them, but only one side yard per house which makes them simi-detached. None is on a 5, 544 sq. ft. R-1B lot, however two are typical R-3 "detached." Both of these have 2nd story garages and one is in the process of adding plumbing which will make it fully habitable.

After eight painstaking years restoring my house and garden, I presented it for the Georgetown Homes tour last Spring (despite the efforts of Bob & Tom to have me removed from the tour.) Freda Berling, who has headed the tour forever and who selected my house to personally host, said that for the first time in the history of the tour, she had someone return to the house, state that they had already seen it but wanted to go through it again as it was so beautiful. Another docent referred to it at "the gem of the tour." This weekend, one of the docents has requested that I give a friend of hers a personal tour. I doubt that has happened before either!

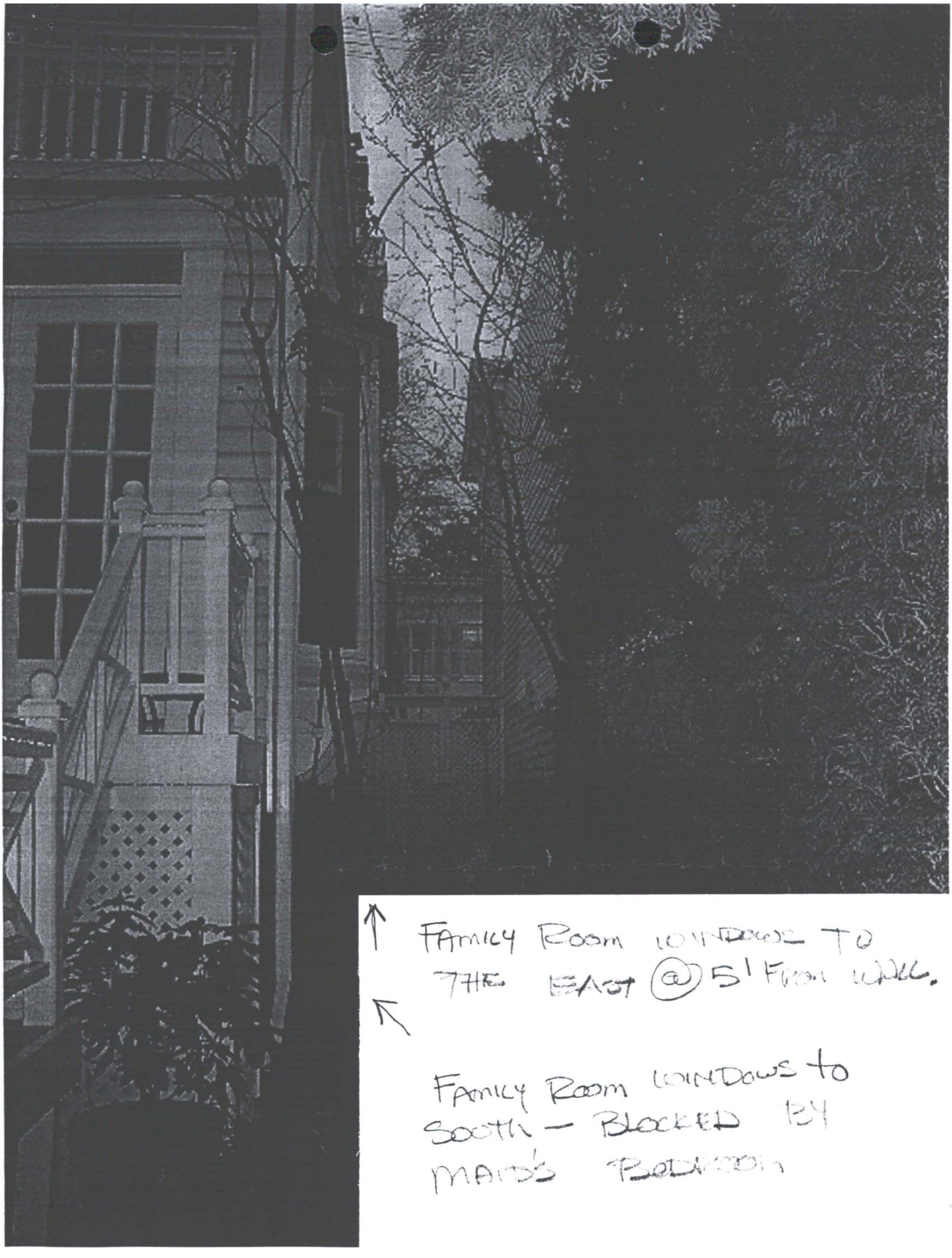
Well, I hope that answered your question. To ANC, the CAG, OP and me, my house *is* unique and I *cannot* just find another one.

I would greatly appreciate it if you would correct your statement to the Court of Appeals wherein you testify that our house is three-story, four bedroom as the cellar is under 7'-6" (most of it is at 6'-6"). Do you really want to win a case by resorting to false testimony?

While the Appeals Court ruled that we could "rearrange" the space as we have 2,300 sq. ft. and while I agree that such a square footage could accommodate a fourth bedroom and bath, they failed to note that the walls were *already built*! So "rearranging" the space is a mute point. Additionally, as the house was expanded in phases, all the interior walls, which they want me to move, are actually exterior, load bearing walls. In order to accommodate their ruling, I would have to remove the existing house, including the foundations, and rebuild the entire thing! Again, we have never been permitted due process so these things are not in the record.

Sincerely,

Ann Goodman
CC: Ms. Jerrily Kress, Councilman Evans, ANC and CAG



↑ FAMILY ROOM WINDOWS TO THE EAST @ 5' FROM WALL.

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FAMILY ROOM WINDOWS to SOUTH — BLOCKED BY MAID'S BEDROOM