GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

MEMO TO FILE

APPEAL:	**No. 16701 - Foggy Bottom and West End/Advisory Neighborhood Commission 2A**
HEARING DATE:	**April 10, 2001**
APPELLANT:	**Advisory Neighborhood Commission 2A, represented by its Chairperson, Elizabeth B. Elliott**
APPELLEE:	**Zoning Administrator**
PROPERTY OWNER:	**George Washington University (GWU)**
INTERVENOR:	**West End Citizens Association**

BOARD MEMBERS PRESENT: Sheila Cross Reid, Anne Mohnkern Renshaw and Susan Morgan Hinton

The Board **approved** the motion to grant party status to the West End Citizens Association.

The Board **denied** the request to grant party status to Dorothy Miller. The Board determined that Ms. Miller did not meet the criteria outlined in § 3106.2 of the Zoning Regulations to be granted party status in this case. Further, at the time the Board considered Ms. Miller's request, she was not present in the hearing room. The Board sought the permission of the chairperson of ANC 2A to allow Ms. Miller to present her views when the ANC made its presentation, since Ms. Miller is the commissioner for ANC 2A05. The ANC chairperson agreed, and Ms. Miller was thus able to present her oral and written testimony.

The Board heard the appellant's and the Zoning Administrator's case. The hearing was continued to **MAY 1, 2001,** to allow the Zoning Administrator, George Washington University, the West End Citizens Association, and the Office of the Corporation Counsel to have sufficient time to present their views, or to file additional information. The submissions are due by **APRIL 24, 2001**. The Board requested the following:

Zoning Administrator

1. Copies of all building plans, applications for construction, and building permits filed with the city for the site. The plans, applications, and permits should be tied to the issued certificates of occupancy.

BZA
Case No. 16701
Exhibit No. 26

Board of Zoning Adjustment
District of Columbia
CASE NO.16701
EXHIBIT NO.26

2. Explain if plans that were approved comply with the conditions identified in Zoning Commission Orders 746, 746-A, and 746-B.

3. Identify when your office reviewed the covenant and when it was placed in your files.

4. Identify all of the dates when Advisory Neighborhood Commission 2A was notified of applications made by George Washington University/AGC for construction at the site.

5. A copy of the forms provided to the public for processing similar projects.

Office of the Corporation Counsel

6. Advise the Board whether an Environmental Impact Statement (EIS) is, or is not, required for the site. If it is not, explain how and when the Department of Consumer and Regulatory Affairs determines if an EIS is required. Provide a copy of the Environmental Policy Act of 1989 that mandates the requirements for EIS.

7. A copy of the old and current legislation that identifies when city agencies must notify Advisory Neighborhood Commissions of pending government actions.

George Washington University

8. A matrix to show the sequence of actions taken (identify the building permits issued for the project, the dates George Washington University/AGC[1] submitted the plans and applications for construction, the dates the building permits were issued, etc.).

9. A certified copy of the covenant associated with the site.

10. A copy of the Environmental Impact Screening form or an Environmental Impact Statement, if either was filed.

11. The university may augment its submission of April 10, 2001.

West End Citizens Association

12. The association may file all statements, briefs and other supporting materials.

[1] Associated General Contractors of America (AGC)

In addition to filing the information with the Board, the appellant, appellee, property owner and intervenor must serve the submissions on each other.

If there are questions, please call Beverley Bailey on (202) 727-0364.

APR 18 2001

JERRILY R. KRESS, FAIA
Director, Office of Zoning

CC:

Elizabeth B. Elliott, Chairperson, Advisory Neighborhood Commission 2A
John C. Batham, West End Citizens Association
Phil Feola & Sarah Shaw, Shaw Pittman (GWU)
Michael Johnson, Zoning Administrator
Marie Sansone, Office of the Corporation Counsel
Arthur Parker, Office of the Corporation Counsel

NOTE: A courtesy copy of the transcript is provided.

BAB/4.19.01

CERTIFICATE OF SERVICE

Elizabeth B. Elliott, Chairperson
Advisory Neighborhood Commission 2A
C/O of St. Mary's Court
725 24th Street, N.W.
Washington, DC 20037

John C. Batham, President
West End Citizens Association
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Note: Currier delivery cannot be made a PO Box.
This document was sent to the office of ANC 2A

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WITNESS: _____

DATE: APR 18 2001