Government of the District of Columbia

OFFICE OF ZONING

441 4TH STREET, N.W.
SUITE 210
WASHINGTON, D.C. 20001
(202) 727-6311

August 9, 2001

Norman M. Glasgow, Jr.
Holland & Knight, LLP
2099 Pennsylvania Avenue, Suite 100
Washington, D.C. 20006

Mary Cuthbert, Chairperson
Advisory Neighborhood Commission 8C
3125 Martin Luther King Avenue, S.E.
Washington, D.C. 20020

Re: BZA Application No. 16729 (Wayne Place Senior Living LP) Post-Hearing Correspondence

Dear Mr. Glasgow and Chairperson Ms. Cuthbert:

As parties in the above-referenced matter, please be advised that the Office of Zoning received the attached correspondence (Letters from Virginia L. Mayor, dated July 26, 2001, and August 5, 2001, with attached letter from Darryl G. Gorman, Senior Deputy Corporation Counsel). In light of the issues raised by Ms. Major in these letters the Office of Zoning will provide the Board of Zoning Adjustment with copies of the letters for its review and deliberation at its September 4, 2001 public meeting. The meeting will begin at 9:30 AM. If you wish to respond to these letters please submit your written comments to the Board, and serve each other with a copy no later than August 24, 2001. Please feel free to call Richard S. Nero, Jr., Special Assistant, on (202) 727-6311, if we can be of further assistance in this matter.

Sincerely,

Jerrily R. Kress, FAIA
Director

BZA
Case No. 16279
Exhibit No. 44

Board of Zoning Adjustment
District of Columbia
CASE NO.16729
EXHIBIT NO.44

Attachments

cc: Virginia L. Major
Councilperson Sandy Allen, Ward 8
Michael D. Johnson, DCRA
Ellen McCarthy, OP

FAX TRANSMISSION

Advisory Neighborhood Commission 8C
3125 Martin L. King Avenue, SE
Washington, DC 20032
(202) 562-1188 Fax (202) 562-6038

To:	Mrs J. R Kress, Director	**Date:**	July 25, 2001
Fax #:	202-727-6072	**Pages:**	3 , including this cover sheet.
From:	Virginia Major, Chairperson		561-2837
Subject:	Zoning Application No. 16729		

COMMENTS:

Attached letter, per your request.

Please give to Ms. Kress
Thanks
VM.

Virginia L. Major, Commissioner
Advisory Neighborhood Commission 8C -07
3301 5th Street, SE
Washington, DC 20032
(202) 561-2837 * Fax (202) 561-8204

RE: 16729

July 26, 2001

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

Dear Ms. Kress:

This is to followup my telephone conversation with you on Wednesday, July 25, 2001 and earlier discussions with two members of your staff concerning the Public Hearing on Application No. 16729, Wayne Place Senior Complex.

As stated, I sent a letter to the BZA on behalf of myself and residents of my Single Member District concerning this project not knowing the ANC had sent a letter. The letter they sent, I received a copy from your file after the Hearing, indicated that a special/public meeting was held to vote on this project. Unfortunately, if a meeting was held, it was **not a special or public meeting** done according to the regulations of the ANC Law and the Bylaws of ANC 8C. Thus, this letter is to alert the Board that this meeting has been challenged with the Corporation Counsel and I'm waiting a reply. If indeed the meeting is declared invalid, as I believe it is, then the Hearing for this project, I believe, was flawed and should be declared invalid, reconsider, or whatever the law requires.

Further, a letter was included in your file on this project from the Ward 8 Mini-Commission on Aging. While the Mini-Commission visited the Prince George site, no discussion/presentation was made to the Mini-Commission on the Wayne Place Project and no vote was taken that I'm aware of. I'm a member of the Mini-Commission, and have polled other members to ascertain if they recall a vote; None did. Minutes have also been requested from the secretary. While the member of the Commission on Aging that testified with members of the ANC executive committee can speak for herself, she cannot, I belief, request a letter to be written on behalf of the Ward 8 Mini-Commission without consulting the membership. In light of the above, I also question whether she speaks for the entire Commission on Aging for this Project. While this may not be pertinent for your decision making, I'm including this to further point out that this process from the community

side was flawed, and thus, I believe, prevented the Board from taking a critical look at this project as it relates to the community where it is proposed to be located. Great weight, I believe, should not be given to such a process.

I will forward additional information as soon as it is received from the Corporation Counsel representative. If you need additional information in the mean time, I can be reached at the telephone number above. Thank you for your consideration of this information.

Sincerely,

Virginia Major

Virginia Major, Commissioner 8C-07