September 15, 2001

Ms. Jerrily R. Kress
Director
Board of Zoning
441 Fourth Street, NW
Washington, DC 20001

RE: Application #16753

Dear Ms. Kress:

As residents of the community on which the monopole will have a major impact, we are submitting this letter of protest. Our substantive reasons for opposing the monopole are set forth separately and will be presented by many of us in the hearing on September 20, 2001. This letter addresses flaws in the ANC process and asks the Board of Zoning not to give great weight to the ANC views in account of those flaws.

On August 18, 2001, ANC 7B placed a resolution in motion to obtain a vote on supporting or not supporting the construction of a monopole in the rear of the Penn-Branch Shopping Center, Lot 840, Square 5530. This took our Single Member District representative, Mrs. Thetus Boyd (7B07), and the residents of the community by total surprise.

There were no written notices, phone calls, or e-mails. As a matter of fact, the attached agenda clearly does not indicate that this issue (monopole) which is extremely important to the concerns of the community would be discussed at the meeting. Since the ANC had voted on the matter May 19, 2001 and had submitted a letter (see attached) to the Board of Zoning regarding its views, we considered the issue closed. What occurred was clear violation of DCMR 3115.1(b) (see attached). We feel that we were not fairly served.

A formal vote was taken on this issue May 19, 2001 (3 for & 1 opposed). The vote had ANC 7B supporting the community's position in this matter which was not to have a monopole in the rear of the Penn-Branch Shopping Center (see attached). We request that vote taken August 18, 2001 (4 for & 3 opposed), be rendered null and void on the basis that proper notification was not given to the community (see attached).

Signatures attached of residents who live within 200 feet of the proposed monopole site, and were notified by the Board of Zoning regarding Application #16753.

Attachments 5

Signature roster (2)
DCMR 3115.1
Ltr., ANC 7B, 7/02/01
Agenda, 7B, 8/18/01
Ltr., ANC 7B , 8/23/01

Contact if necessary:
Block captains of 3200 O St., SE:
Ms. G. Banks - (202) 583-0190
Ms. S. Thornton - (202) 582-5105

cc T. Boyd, ANC 7B07
R. Grant,Jr., Chair - ANC 7B
R. Battle, Pres. - PBC Civic Assoc.
B. Morgan, Pres. - DuPont Pk. Civic Assoc.

BZA
Case No. 16753
Exhibit No. 105
Board of Zoning Adjustment
District of Columbia
CASE NO.16753
EXHIBIT NO.105

RE: Application 16753

NAMES & ADDRESSES OF PROPERTY OWNERS WITHIN 200 FEET OF
PROPOSED MONOPOLE SITE - PENN-BRANCH SHOPPING CENTER

	NAME	ADDRESS	DATE
1.	Edward M Robinson	3248 "O" St SE	9-17-01
2.	[illegible]	3201 O ST, S.E	9-17-01
3.	[illegible]	3219 O St, SE	9-17-01
4.	Felicia H. Jones	3227 O St. S.E	9-17-01
5.	Thelma W. Cohen	3224 "O" St. S.E	9/17/01
6.	Daisy Hill	3235 O St SE	9-17-01
7.	David Hill	3235 O St SE	9-17-01
8.	James H. Banks	3228 "O" St. SE.	9-17-01
9.	Gertrude L. Banks	3228 "O" St S.E.	9-17-01
10.	Barbara D. Morgan	3245-O St SE.	9-17-01
11.	[illegible]	3245-O St SE	9-17-01
12.	[illegible]	3249 O St SE.	9-17-01
13.	Adele M. Banks	3244 O St. SE	9/17/01
14.	Carrie E. James	3240 O St. SE.	9-17-01
15.	Amos E. Thomas	3267 O St SE	9/17/01
16.	Edward C Cohen	3224 O St. SE.	9/18/01
17.	Beverly Jacks	3257-O St. S.E.	9-18-01
18.	Duane H. Bynum Jr	3311 CARPENTER ST. SE	9-18-01
19.	Barbara J Bynum	3311 Carpenter St. SE	9/18/01
20.	Mary A Cooper	3263 O St SE.	9-18-01
21.	[illegible]	3230 "O" St S E.	9-18-01
22.	Blanche Eve J. Brewton	3312 Carpenter St. S.E	9-18-01
23.	[illegible]	3312 Carpenter St. SE	9-18-01
24.	Faye Chrys[illegible]	3308 Carpenter St SE	9-18-01
25.	Patricia W Green	3304 Carpenter St. SE	9-18-01
26.	Richard G Green	3304 Carpenter St SE	9-18-01
27.	Wilhelmina Mitchell	3300 Carpenter St, SE	9-18-01

RE: Application 16753

NAMES & ADDRESSES OF PROPERTY OWNERS WITHIN 200 FEET OF PROPOSED MONOPOLE SITE - PENN-BRANCH SHOPPING CENTER

	NAME	ADDRESS	DATE
1.	Sallie M. Thurston	3267 'O' St, SE	9/18/01
2.	Clarice Lonelace	3219 O St SE	9/18/01
3.	Gwendolyn Rose	3201 O St, SE	9/18/01
4.	(Mack McCray)	3308 Chapman St. S.E.	9/18/01
5.	Paul Fox	3343 Highwood Dr SE	9/18
6.	~~Gladys Clark Johnson~~	3318 Highwood Dr SE	9/18
7.	George H Smith	3140 P ST. SE	9/18
8.	Leontine C. Smith	3140 P St. SE	9/18
9.	Dorothy Burruss	3112 "O" St SE.	9/18/01
10.	Gladys Dorn-Hall	3127 "O" ST SE	9/18/01
11.	Lucille Burruss	3112 "O" St SE	9/18/01
12.	S. Thelma A. Boyd	3508 Highwood Dr. SE	9/19/01
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EXCERPT FROM TITLE 11 DCMR, "ZONING

3115 ADVISORY NEIGHBORHOOD COMMISSIONS

3115.1 The written report of the ANC shall be submitted to the Board at least seven (7) days in advance of the hearing and shall contain the following information:

(a) An identification of the appeal or application;

(b) When the public meeting of the ANC to consider the appeal or application was held;

(c) Whether proper notice of that meeting was given by the ANC;

(d) The number of members of the ANC that constitutes a quorum and the number of members present at the meeting;

(e) The issues and concerns of the ANC about the appeal or application, as related to the standards of the Zoning Regulations against the appeal or application must be judged;

(f) The recommendation, if any, of the ANC as to the disposition of the appeal or application;

(g) The vote on the motion to adopt the report to the Board;

(h) The name of the person who is authorized by the ANC to present the report; and

(i) The signature of the chairperson or vice-chairperson of the ANC.

3115.2 The Board shall give "great weight" to the written report of the ANC, as required by No. 1-261, D.C. Code, 1982 ed.

3115.3 In the event the ANC submits its report on the basis of understandings, agreements, or meetings with the appellant, or applicant which later are modified by appellant or applicant, the designated representative of the ANC may comment orally concerning the specific inconsistencies. No other new matters may be presented orally by the designated representative of the ANC.

NAYLOR DUPONT
Advisory Neighborhood Commission 7B

District of Columbia Government
3200 S Street, S.E.
Washington, D.C. 20020
email: *anc7b@pressroom.com*
web: *www.pressroom.com/~anc7b*
phone: (202) 584-3400 fax: (202) 584-3420

July 2, 2001

Ms. Jerrily Kress, FAIA
Director, Board of Zoning Adjustment
441 4th Street, Northwest
Suite 210
Washington, D.C. 20001

Dear Ms. Kress:

This letter is to inform you that SBA Properties made a presentation to Advisory Neighborhood Commission 7B, at it's regularly scheduled meeting on May 19, 2001, regarding the installation of a monopole at the Penn Branch Shopping Center.

The ANC7B voted against the proposal by SBA Properties, to install a monopole at Penn Branch Shopping Center. Enclosed please find a copy of the May 19, 2001 minutes, which were approved on Saturday, June 16, 2001, at the regularly scheduled meeting of ANC7B.

If you have questions, or need additional information I can be reached at 724.2123 or 584.3400.

Sincerely,

Roscoe Grant Jr.

Roscoe Grant, Jr.
Chairman

cc:
May 19, 2001 minutes

NAYLOR DUPONT

Advisory Neighborhood Commission 7B



District of Columbia Government
3200 S Street, S.E.
Washington, D.C. 20020
email: *anc7b@pressroom.com*
web: *www.pressroom.com/~anc7b*
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AGENDA

Townhall Meeting, August 18, 2001

Call to Order

Opening Prayer

Roll Call of Commissioners/Neighborhood Watch

__7B01 Linda Green

__7B02 B. Three Feathers Kazemi

__7B03 Roscoe Grant, Jr.

__7B04 Moses Smith

__7B05 Kathy Chamberlain

__7B06 Debra Davis

__7B07 Thetus D. Boyd

__ Dennis Logan, Chairman, Neighborhood Watch

Review of Minutes from last meeting

Review of Treasurer's Report

Commissioners' Reports

Neighborhood Watch Report

Police Report (PSA's 608, 610)

Ward 7 Councilmember representative's report

Community Concerns

Adjournment

NAYLOR DUPONT
Advisory Neighborhood Commiss



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August 23, 2001

Ms. Jerrily Kress, FAIA
Director, Board of Zoning Adjustment
441 4th Street, NW, Suite 210
Washington, D.C. 20001

Subject: Monopole at Penn-Branch, BZA Application No. 16753

Dear Ms. Kress,

Thank you for your letter of August 9, 2001 regarding subject application. This letter should satisfy tl respond in writing.

On Saturday, August 18th, at a regularly scheduled public meeting of ANC 7B, the commission vote ANC 7B meetings are always the 3rd Saturday of the month at Ryland Methodist Church. As with all notice was given about this meeting.

All seven commissioners were present at the meeting. Four Commissioners constitute a quorum. The Discussion points can be seen in the meeting minutes on the ANC 7B website at www.pressroom.cor

With the majority of commissioners voting in favor, ANC 7B supports the subject application. Howe following concerns, which will be expressed in writing to the applicant, Penn-Branch LLC:

- the number of parking spaces that will become unusable because of the monopole
- the number of cellphone carriers planned for the monopole
- the distance of the base of the monopole from the nearest properties
- the proposed date of installation

I sent you an earlier letter stating that ANC 7B had voted on May 19th to oppose the monopole. Und prematurely, prior to any official application being filed. Only four commissioners were present for th opposed the monopole. The August 18th vote took place after the application was filed and after we commission was able to obtain more community input on the issue prior to the August vote. Moreov present for the vote.

I can be reached at 724-2123 or feel free to call the ANC office at 584-3400.

Sincerely,
/s/
Roscoe Grant, Jr.
Chairman, ANC 7B