GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 5C
680 RHODE ISLAND AVENUE, N.E., SUITE H-4
WASHINGTON, D.C. 20002

TELEPHONE: 832-1965/1966 - FAX: 832-1969
www.anc5c.org

RECEIVED
D.C. OFFICE OF ZONING
2002 MAY -8 AM 7:39

Chairperson Geoffrey Griffis
Government of the District of Columbia
Board of Zoning Adjustment
441 4th Street, N.W., Suite 220
Washington, D.C. 20001

Attention: Paul Hart, Secretary

RE: Application No. 16758 – of BP Amoco Corporation, pursuant to 11 DCMR 3104.1 for a special exception to construct a gasoline station under section 726 in a C-2-A District at premises 1300 Rhode Island Avenue, N.E., (Square 3956, lot 801).

Dear Chairperson Griffis:

It has been very recently brought to my attention that the above-referenced Applicant has petitioned the Board of Zoning Adjustment for yet another continuance of this matter. According to our records, this is the third consecutive occasion in which the Applicant has requested a continuance of this case, essentially, for the same inadequate excuse that it used on prior occasions. That is, according to the Christopher Collins and Dennis R. Hughes, of Holland & Knight LLP, "the Applicant needs additional time to bring forth an Application which has the greatest potential for support;...the Applicant is continuing to examine a number of alternative possibilities for development of the site in a way that addresses as many of the concerns raised as possible;...the applicant is currently addressing concerns raised by community representatives on another of its projects in the District of Columbia and hopes to gain valuable information from that experience." Besides the copy of the letter that ANC 5C received from the Applicant's counsel in connection with the instant request for a continuance, we have had not contact with the Applicant, nor with any of its representatives; hence, we are at a loss to understand what, if anything, the Applicant is doing "to address concerns raised by community representatives" with respect to 1300 Rhode Island Avenue, N.W.

At this point, the Applicant appears to be employing a delaying tactic in the possible hope that the reaction of community residents to its desires, will somehow dissipate or miraculously improve. Importantly, had the proverbial shoe been on the other foot, and had we made three consecutive requests to delay consideration of a BZA matter while we waited for our position to improve, I have no hesitancy in predicting that this request of ANC 5C would be summarily denied. In fact, on the only occasion we have ever asked the BZA to continue a case (in the 12+ years that I have been an ANC), our request was turned down flatly by the members of the BZA.

BZA
Case No. 16758
Exhibit No. 44

Board of Zoning Adjustment
District of Columbia
CASE NO.16758
EXHIBIT NO.44

In brief, ANC 5C went on record as opposing Application No. 16758 in its letter to the BZA of September 24, 2002. Indeed, we continue to oppose Application No. 16758 for the reasons stated in that 9/24/2002 correspondence sent to the Board. If Amoco needs more time to consider its position, then perhaps it should consider withdrawing their current application and, possibly, resubmitting one at a later date, i.e., if they are ever successful in garnering community support for this project.

We thank you in advance for giving our position on this matter, the 'great weight' to which it is entitled!

Yours truly,

James D. Berry, Jr.
Chairperson

Cc: Members of ANC 5C
Norma Broadnax, Chairperson, ANC 5A
Regina James, President, Brookland Civic Association

JDB

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FACSIMILE

TO: Paul Hart, Secretary
Board of Zoning Adjustment

Chairperson Geoffrey Griffis
Board of Zoning Adjustment

DATE: 5/6/2002

FAX #: 202-727-7062

FROM: James D. Berry, Jr., Chairperson

NO. of PAGES: 3

FAX #: 202-387-8520

SUBJECT: RE: Application No. 16758 – of BP Amoco Corporation, pursuant to 11 DCMR 3104.1 for a special exception to construct a gasoline station under section 726 in a C-2-A District at premises 1300 Rhode Island Avenue, N.E., (Square 3956, lot 801).

This matter is to be considered by the BZA on the morning of May 14, 2002. Therefore, please hand-deliver to Chairman Griffis and/or Secretary Hart, upon arrival. Thanks!

JDB

JDB