VENABLE, BAETJER, HOWARD & CIVILETTI, LLP
Including professional corporations

1201 New York Avenue, N.W., Suite 1000
Washington, D.C. 20005-3917
(202) 962-4800, Fax (202) 962-8300
www.venable.com

OFFICES IN

WASHINGTON, D.C.
MARYLAND
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Jerry A. Moore III
(202) 962-4763
jamoore@venable.com

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BY HAND DELIVERY

Geoffrey H. Griffis, Chair
D.C. Board of Zoning Adjustment
441 - 4th Street, N.W.
Suite 220 South
Washington, DC 20004

Re: BZA Application No. 16896, Randle Highlands Manor

Dear Mr. Griffis and Members of the Board:

Ms. Geraldine Marshall has belatedly submitted post hearing documents intended as support for her opposition to the application for the zoning relief necessary to bring the first low and moderate income assisted living residence to the citizens of the Randle Highlands neighborhood. Ms Marshall proffers photographs of three parcels, purportedly to demonstrate that there are other places in Randle Highlands to locate the proposed residence, and photographs of three buildings that she claims are used as community based residential facilities ("CBRF"s).1/

With respect to the availability of other sites, in both written and sworn oral testimony Ms. Lisa Bolden and Mr. Albert Hopkins have unequivocally stated that they surveyed the Randle Highlands neighborhood and found that the 2701 R Street, S.E. location was the only location in the area that was available to them to purchase and construct an assisted living residence. In addition, Ms. Lynn French, the Senior Policy Advisor to the Deputy Mayor for Children, Youth, Families and Elders, Ms. Brenda Turner, the Director of Aging Services for the Greater Washington Urban League, Mr. O. V. Johnson, the former chairperson of the D.C. State Committee for A.A.R.P. (and a former ANC Commissioner) and Dr. Marie Aldridge, a neighborhood resident, all testified to the dire need for the proposed facility at this location. In presenting her photographs, Ms. Marshall does not claim that any of her alternate sites are/were available or suitable for the development of

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1/ Ms. Marshall also claims that the proposed building "... would break our property line", an allegation that she raised at the public hearing that was quickly rebutted by the applicant's architectural consultants, and that 71 names on the petition that she filed were from people who reside within 500 feet of the site. The latter claim is both incorrect and irrelevant. In the record is sworn expert testimony that parking will not be a problem at the proposed facility because few, if any of the assisted living residents have or need automobiles, and that the proposed facility provides more off-street parking than either the pre-existing apartment house or than the zoning regulations required for this size and type of facility.

BZA
Case No. 16896
Exhibit No. 63
Board of Zoning Adjustment
District of Columbia
CASE NO.16896
EXHIBIT NO.63

the proposed residence. In fact, each of these parcels is located in the same R-5-A zone district as the proposed location and two of the three are in private ownership and are improved with existing buildings. Ms. Marshall does not choose to explain if or how these parcels would be either an available or a suitable choice for the Applicant's purposes. At best these photographs evidence nothing more than the general truth that there are other parcels of land in Randle Highlands.

It is unclear what Ms. Marshall seeks to establish with her photographs of 1720–24 27th Street, S.E.[2/] and 2510 and 2620 R Street, S.E. The 27th Street building is licensed as an "Apartment Building: and, appropriately is not listed on the D.C. Government's log of Community Based Residential Facilities. The 2510 R Street building is a single story 1655 square foot structure housing a maximum of six persons. 2620 R Street is a 815 square foot building licensed as a "Supported Residence" for five persons (and one staff member). Together, these residences house a maximum of eleven people, considerably fewer than the R-5-A apartment houses that populate the area. Moreover, the D.C. Zoning Administrator has determined that none of the cited residences preclude the approval of the assisted living residence proposed here.

To her credit, Ms. Marshall does not make that claim. However, if by making this proffer she means instead to imply that her neighborhood has enough community residences, she should make that point clear and then explain how this proposed assisted living facility for seniors will adversely affect the neighborhood; and then endeavor to persuade the Board that it is her opinion that should prevail over the favorable assessments of the D.C. Office of Planning, Advisory Neighborhood Commission 7B, the Office of the Deputy Mayor and other neighborhood residents.

Finally, in the undersigned's closing summation at the January 7th public hearing, reference was made to a number of recent orders in which this Board has unanimously granted area variances in circumstances that are similar to those presented here. Those decisions are found at the following B2A case files:

16838
16815
16930
16929
16943
16949
16891
16893
16940

2/ 1720 – 27th Street is the four level apartment building that faces the site. Ms. Marshall has listed this address as her residence.

In sum, the Applicant has established that –

- there is a dire need for an assisted senior citizens' residence at this location;
- that both the Executive Branch and members of the D.C. Council strongly support the establishment of this facility at this location;
- that there has been and is substantial difficulty in financing any improvements to this property without zoning relief;
- that the proposed building replaces a similarly sized abandoned apartment building;
- that the proposed building is the smallest functional structure that the site will accommodate for this needed use; and
- that the proposed building will not be out of context with the height and density of existing buildings in the neighborhood.

Respectfully submitted,

Jerry A. Moore III

cc: Ms. Geraldine Marshall