RICHARD SUISMAN
1611 21ST ST., N.W.
WASH., D.C., 20009

Nov 15,2002

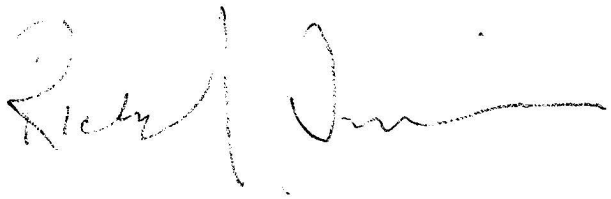
BZA
RE: CASE # 16920
BASS : Special Exception for an Art Gallery

I am writing as one of the opponents. Attached are letters supporting our position. On Nov 12, after a new time for the conclusion of the hearing was set, Att. Gell, representing the applicant, and Attorney Steven Saltzberg,, representing neighbors in opposition, agreed that neither would object to submission of additional material relevant to the case by close of business Friday, November 15, 2002.

Also being submitted is a study I did entitled "A comparison of Residential versus Non-residential Properties between Q and R Streets bordered by Florida and Conn. Avenues."

Also please note that the neighbors have selected Attorney Steven Saltzberg of 1648 21st. St., NW to represent them when they present their case.

Attachments:
Letter from Morton Schussheim
Letter from Jane Haslem
Study by Richard Suisman
Letter from Vincent Hurteau



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2002 NOV 15 PM 1:43

BZA
Case No. 16920
Exhibit No. 62

Board of Zoning Adjustment
District of Columbia
CASE NO.16920
EXHIBIT NO.62

STATEMENT OF MORTON J. SCHUSSHEIM TO BOARD OF ZONING ADJUSTMENT, NOVEMBER 2002

Re: Application 16920, Proposed Special Exception for the Bass property at 1629 21st Street, NW, Washington, DC.

Mr. Chairman and Members of the Board:

I am Morton Schussheim. I have owned and resided at 1619 21st Street NW for 27 years. What attracted my wife Hanna and me to this neighborhood was the convenience of in-town living, the historic nature of many of the buildings, and the diversity of residents. When we arrived in the 1970s there were a number of families with young children, young singles sharing houses, apartment renters as well as homeowners. We came to know some of the missionaries who live across the street and renters living in an apartment building–soon to be demolished--diagonally across the street. The removal of this apartment house to make way for the latest Phillips Collection expansion means the loss of 15 moderate-priced rental units and the displacement of fixed-income seniors as well as younger working people. Now we are faced with the loss of still another residential use by commercial art space.

The District Government's Office of Planning states, in connection with the zoning change under consideration, that the neighborhood may be close to the tipping point—as institutional and commercial activities supersede residential use. Our neighbor Jane Haslem, who lives and occupies a house on Hillyer Place from which she has operated an unobtrusive art gallery in her basement for many years, also opposes the zoning exception. She has given me a statement describing how nearby P Street between Dupont Circle and 22nd Street went from part residential to all commercial in a matter of a few years.

It can be argued that the application under consideration is for just one more conversion from residential use to commercial gallery use and won't have much impact. But where will it end? Other would-be businesses can also argue for converting "just one more property." We risk seeing residences nibbled away one by one and the loss of community that only 24/7 residents can offer. It is time to draw a line. I urge this Board to deny the application for a special exception.

Now a volunteer with mental health groups, Dr. Schussheim was senior specialist in housing with the Congressional Research Service of the Library of Congress from 1973 to 1995. Previously, he was a professor of city planning at the University of Pennsylvania for 7 years. From 1961 to 1966, he was Assistant Administrator for Program Policy of the Housing and Home Finance Agency, predecessor of the U.S. Department of Housing and Urban Development, where he helped to develop programs to rehabilitate older city neighborhoods and to add to the supply of moderate- and low-income housing.

November 12, 2002

2025 Hillyer Place NW
Washington DC 20009

Attention: Board of Zoning Adjustment
Re: 16920

The Dupont Circle area around and near the Phillips Museum is a very fragile and endangered residential neighborhood. With the new project at the Phillips Museum the neighborhood is one step closer to becoming zoned commercial.

In the late 70s I was located at 2121 P Street, then an apartment building owned by Leo Bernstein. There were other homes with some apartments on the block. At that time there were from 8-10 art galleries located in various older homes and in the 2121 building. When Leo Bernstein sold his building. It became a hotel and zoning was changed from residential to commercial. Gradually older homes were torn down and replaced by large buildings.

We need to retain the older homes and their use as residential dwellings in this area. I fear that this neighborhood will soon follow the pattern already established in other areas.

As a gallery owner for 42 years, I would submit that ruling for another residence to become a gallery in this neighborhood would clearly put R Street and 21st Street on the direct path to being zoned commercial.

Thank you for your attention to this plea of a long time resident of this area.

Jane N. Haslem



A COMPARISON OF RESIDENTIAL VERSUS NON RESIDENTIAL PROPERITES LOCATED BETWEEN NORTH SIDE OF Q ST, THE EAST SIDE OF FLORIDA AVE, THE SOUTH SIDE OF R STREET AND WEST OF CONN AVE.

I. EXISTING RESIDENTIAL PROPERTIES 63 Homes
Building Sq Footage **264,054**

Location

Florida 4	16,082
R St- 13	51,966
21st St 10	66,301
Hillyer place 21	84,759
Q St 10	44,944

II. EXISTING NON-RESIDENTIAL PROPERTIES
Building Sq Footage **416,522**
(Will be 440,522, 000 after Phillips completes construction)

Location and Description

3 Embassies (India,Morocco,Tchad- 4 Buildings)	
2 on Q St- 1 on R St	53,973
14 Galleries in 12 Buildings	57,845
1 Hillyer Place	
1 21st St	
12 R St.	
1 Club- 3 Buildings –Mass and Fla Avenues	168,827
1 Parking Lot –3 areas	68201
1 Museum – 4 Buildings	
21st St and Hillyer Court	67,676

Prepared by Richard Suisman , Nov 02
Sources of Material
Multiple Regional Information Systems, Inc
Land Use Map prepared by Lindsley Williams Sept, 02
Planning Office Report

RECEIVED
D.C. OFFICE OF ZONING
2002 NOV 18 PM 5:05

1705 21st Street, NW
Washington, D.C. 20009
14 November 2002

Board of Zoning Adjustment
re: Case Number 16920

To Whom It May Concern:

I live at 1705 21st Street, NW, just off the intersection of 21st and R Street where Burton Marinkovich Fine Arts is applying for an exception. I first wish to exclaim that my opposition to the gallery is not a reflection against the character of William J. Bass nor Burton et al as leasees, all of whom I have deep respect. I also apologize that I cannot be there in person but I will be out of the country when you meet next.

A few months back, Mr. Bass invited the neighbors to the proposed gallery space. Mr. Bass told us how he has had trouble finding a residential tenant for $4,500 a month. At that meeting my neighbors and I discovered that a lease had already been signed with Burton et al.

I have been a real estate broker in the District of Columbia for sixteen years. Commercial rent is typically much higher than residential rent. What I am seeing here is what I have seen again and again: a residential landlord wants to get a higher rent, a commercial tenant wants to pay less than the commercial level rent. Their solution: sign a lease in a residential neighborhood, get a zoning exception and it will be profitable for both parties.

At the BZA hearing on 29 October 2002, Miss Marinkovich admitted that she found the commercial rents too expensive on Connecticut Avenue where other galleries are located. It is obvious profitability is playing the major role and that should not be a valid reason to allow retail space in a residential neighborhood.

Sincerely,

Vincent Hurteau

FAX COVER

FROM: RICHARD SUISMAN **DATE:**_____

TIME:_____

FAX : 202-462-7555
TEL: 202-462-7576

TO: Cliff Moore

FAX: 707 6072
TEL: _____

Number of pages including cover: 2

Subject: ~~HARTFAX~~ LETTER

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Sincerely,

Vincent Hurteau

GLENDA -
PLEASE FILE
IN BZA # 16920 -
BASS GALLERY.
IT IS AN ATTACHMENT
TO RICHARD SUISMAN'S
LETTER DATED 11/15/2002
THKS - CLIFF