GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

April 2, 2003

Drury Tallant, CoChair
Land Use Committee
Stanton Park Neighborhood Association
P.O. Box 75085
Washington, D.C. 20013-5085

Re: BZA Application No. 16930 – 500 New Jersey Avenue, N.W.

Dear Chairman Tallant:

The Office of Zoning received your letter dated March 26, 2003, expressing your views on the Board of Zoning Adjustment's (Board) decision in the above-cited application. Please be advised that the record in this application has been closed for sometime. Pursuant to subsection 3126.2, of the Zoning Regulations the time period for requesting reconsideration or rehearing of a decision of the Board is 10 days from the date of the issuance of the final order. The final date of the subject order was November 4, 2002.

Please call Richard S. Nero, Jr., Chief, Support Services and Quality Control at (202) 727-6311, if you have any questions.

SINCERELY,

JERRILY R. KRESS, FAIA
Director, Office of Zoning

Attachment
cc: Sharon Ambrose, Councilmember
Ward 6

Rob Hall, ANC 6C

rsn

BZA
Case No. 16930
Exhibit No. 108

Board of Zoning Adjustment
District of Columbia
CASE NO.16930
EXHIBIT NO.108

Stanton Park Neighborhood Association
P.O. Box 75085, National Capitol Station, Washington, D.C. 20013-5085

March 26, 2003

RECEIVED
D.C. OFFICE OF ZONING
2003 MAR 27 PM 3:20

Ms. Carol Mitten, Chair
Board of Zoning Adjustment
441 Fourth St., NW, Suite 210S
Washington, DC 20001

Mr. Denzel Noble
Dept. of Consumer and Regulatory Affairs
941 North Capitol St.
Washington DC 20002

Re: 500 New Jersey Ave., NW

Dear Ms. Mitten and Mr. Noble,

The Land Use Committee of the Stanton Park Neighborhood Association writes to you in support of positions adopted by ANC 6C (formerly part of ANC6A) on the project at 500 New Jersey Avenue, NW. We believe that irregularities in the review and permitting process have resulted in a distortion of the regulatory intent, diminished the ANC review process, and resulted in a project that will not live up to the promise once held for the development of this important site.

The ANC had unanimously supported a prior design. Based in part on that support, the former proposal acquired additional development rights. Subsequently, the site was sold and the design was dramatically changed. Yet the BZA review process seemingly failed to take into account that what might be desirable in one design, could be judged objectionable in another. ANC representatives endeavored to impress upon the BZA the need for additional review, but were denied.

The second issue concerns the permit application. The applicant has classified some 9,000 additional square feet of leasable office space as an "architectural embellishment". Incredibly, DCRA has joined with the applicant in classifying two 175' wide bays extending some four feet into the public space on 11 floors on two streets as an "embellishment". The origin of this overly creative application of the provisions for architectural embellishment appears to be approval in the former design of distinctive bays reminiscent of Washington's historic downtown office buildings.

Collectively, BZA and DCRA have aided the applicant in a "bait and switch" from a design which achieved unanimous approval by the ANC to one that has been rejected by the ANC. The merits of the building designs not withstanding, the SPNA Land Use Committee takes strong objection to the review and permitting process. In this case those processes provided the applicant significant benefits without appropriate oversight or reasonable interpretation of the applicable regulations.

Sincerely,

Drury Tallant, CoChair
SPNA Land Use Committee

cc: Council Member Sharon Ambrose
Rob Hall, Chair ANC 6C