January 21, 2003

FAX – (202) 727-6072 Cover + 1 page

TO: Ms. Beverly Bailey
Office of Zoning
Government of District of Columbia
Suite 200
441 4th Street N.W.
Washington, D.C.

FROM: Sara Maddux
Board Member
West End Citizens Association
522 21st Street N.W. Apt. 401
Washington, D.C. 20006

RECEIVED
D.C. OFFICE OF ZONING
2003 JAN 21 AM 10:44

SUBJECT: Appeal of WECA – Case No. 16940

Dear Ms. Bailey:

Attached please find a clean copy of the notes I used during the hearing of January 14, 2003 in Case No. 16940. I hope this is helpful.

Many thanks,

Sara Maddux

BZA
Case No. 16940
Exhibit No. 32

Board of Zoning Adjustment
District of Columbia
CASE NO.16940
EXHIBIT NO.32

RECEIVED
D.C. OFFICE OF ZONING
2003 JAN 21 AM 10: 44

APPEAL APPLICATION OF WEST END CITIZENS ASSOCIATION

CASE NO. 16950

January 14, 2003

Rebuttal

By Sara Maddux
WECA Board Member

1. Comments by Charles Barber – Counsel for George Washington University re:qualifications of those on the Board of Directors of the Foggy Bottom Feeding Program Foundation. This is a public record and these comments cannot go by without being addressed.

2. Board Members are: David Watts – GWU, retired former Director, DCRA; Johnny Osbourne, Asst. Vice President and CFO, GWU; John Graves, retired, resident at St. Mary's Court; John C. Batham, retired banking official and other responsibility positions; Sara Maddux, USG Official and Treasurer of the organization as well as board member of other non-profit organizations.

3. The Foundation is legally constituted and has had board meetings. The FBFF has an IRS EIN, and the required corporate filings with the District of Columbia have been done. There is a functioning framework to carry out the program. The lack of funding inhibits the credibility of the organization to negotiate with an institution the implement the program. The physical "place" of the program has not been decided.

4. However, by the Zoning Administrator looking into the interworkings of this particular element of the Zoning Order, there is an unfairness. Will the Zoning Administrator be checking the particular plantings under the landscape scene? Will the Zoning Administrator be monitoring the leases o other transactions concerning the commercial/retail space? What are the standards to be applied to each element of the terms of the Zoning Order?

5. If zoning orders per se are to have enforcement clauses written into them in terms of 'if this, then that,' it will greatly expand the need for written regulations, enforcement staff, and legal guidance by the District of Columbia in virtually all cases involved under 11 DCMR. There needs to be a 'reasonableness' standard.