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November 22, 2002

DC Office of Zoning
441 Fourth Street NW, Suite 210 South
Washington, DC 20001
Attn: Ms. Jerrily R. Kress FAIA, Director

Re: BZA Case #16951 Application of Southwest Properties, Inc.

Dear Jerry:

Our getting together is far too infrequent, but I ask that you indulge my writing to you for timeliness' sake in the referenced case.

This case affects my neighborhood and my street. I am urgently seeking your personal influence in affecting the denial of the requested zoning variance.

I am not rehashing the arguments in the attachments. They are clear and compelling, most especially the unanimous opinion of our ANC 1C commissioners. I wish to convey that if the subject variance is approved, Southwest Properties, Inc., which has been operating an illegal consolidated office for over a year at the corner of 20th Street and Kalorama Road NW will even further dilute the direct, one-on-one management to tenant service which the residents of 1921 Kalorama Road NW deserve. Southwest's actions constitute a blatant commercial violation committed in a long established residential zone.

Also, since my home lies within 200 feet of the subject property, I as well as other property owners within that distance should have been notified of the initial hearing and all subsequent action. This was not the case, and I am requesting that an account be prepared as to why we were not notified. This would seem to provide a certain basis for allowance of any additional time we who seek the variance denial may need to further strengthen our objection.

BZA
Case No. 16951
Exhibit No. 34

(202)-674-5265
(202)-234-5260 FAX
tomgenis@aol.com
2320 20th Street NW
Washington, DC 20009-1412

Board of Zoning Adjustment
District of Columbia
CASE NO.16951
EXHIBIT NO.34

The Kalorama Triangle neighborhood is desirable for many reasons as a place to live and work. And thus we are regrettably but constantly bucking an unrelenting wave of non-resident abuses ranging from absolutely out-of-control illegal parking to the noise and trash of the bar-crowd scene. Beyond this, our being forced to host the hub of a far-flung rental empire is not only illegal but also intolerable, especially as it affects our neighbors.

I will sincerely appreciate your acting upon this request, and I look forward to seeing you again soon.

Very truly yours,

GENIS DESIGN, P.C.

Thomas P. Genis, AIA, NCARB
President and Chief Executive Officer

Attachments

GENIS DESIGN

Thomas P. Genis
AIA, NCARB
(202)-674-5265

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Advisory Neighborhood Commission 1C
P.O. Box 21652, Washington, DC 20009
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Commissioners:

Alan Roth
1C-01

Mark Wright
1C-02

Andrew Miscuk
1C-03

John Bailey
1C-04

Jobi Jovanka
1C-05

Eleanor Johnson
1C-06

Josh Gibson
1C-07

Dan Brody
1C-08

Pete Klempay
1C-09

November 1, 2002

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DC Office of Zoning
Board of Zoning Adjustment
441 4th Street, NW
Suite 210 South
Washington, DC 20001

RE: BZA Case #16951 Application of Southwest Properties, Inc.

(a) Report of ANC 1C in re: BZA Case #16951 Application of Southwest Properties, Inc., pursuant to 11 DCMR § 3103.2, for a variance from the use provisions under section 350, to allow the establishment of a consolidated management office for related residential properties in the R-5-B District at premises 1921 Kalorama Road, NW (Square 2539, Lot 300) (BZA Public Hearing scheduled for November 26, 2002)

(b) A public meeting of ANC 1C was held Monday, October 21, 2002, during which the above referenced matter was considered.

(c) Proper notice of said meeting was duly given.

(d) With eight of its nine commissioners present, the minimum of five ANC 1C commissioners comprising a quorum was met.

(e-1) This ANC ascertained no "extraordinary or exceptional situation or condition" with respect to this specific property, and no "peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner," and thus concluded that the application fails to meet the threshold legal standard for a variance established in 11 DCMR 3103.2; (e-2) further, in an open forum discussion of this matter, during which representatives from applicant and from tenants of 1921 Kalorama Road NW made presentations and responded to commissioners' questions, a tenants' representative presented ANC 1C with signatures of 27 tenants (nearly half the units in the building) requesting that ANC 1C oppose the granting of a variance based on concerns about security and disruption resulting from establishment of a consolidated management office in this building to service this and

(continued next page)

five other buildings, leading the ANC to conclude that the variance relief would impose "substantial detriment to the public good" and would "substantially impair the intent, purpose, and integrity of the zone plan" in this R-5-B District, contrary to the requirements of 11 DCMR 3103.2; (e-3) further, in addition to sharing tenants' concerns about security and disruption to residents, the ANC is concerned that the applicant has apparently been operating such an office illegally at this location for some period of time.

(f) ANC 1C recommends the BZA deny this application.

(g) ANC 1C voted 8-0 (unanimously) in opposition to the granting of a variance to the applicant and to request that the BZA deny this application.

(h) This report may be presented to the BZA by Commissioner Andrew Miscuk, Commissioner Mark Wright, and/or Commissioner Alan Roth.

SIGNED:

Andrew Miscuk, Chair
(202-214-4478)

Mark Wright, Vice Chair
(202-797-9066)

JIM GRAHAM
COUNCILMEMBER, WARD ONE
COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

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Chair,
Human Rights, Latino Affairs &
Property Management Subcommittee

1st Vice Chair,
Board of Directors, WMATA/Metro

November 7, 2002

Mr. Geoffrey H. Griffis, Chairman
Board of Zoning Adjustment
Room 210
441 4th Street, NW
Washington, DC 20001

Re: BZA Case 16951

Dear Chairman Griffis:

I am writing to oppose the application of Southwest Properties, Inc. pursuant to 11 DCMR § 3103.2 for a variance from the use provisions under section 350 to allow the establishment of a consolidated management office for related residential properties in the R-5-B District at premises 1921 Kalorama Road NW. #462

It appears that there is no "extraordinary or exceptional situation or condition" with respect to this specific property, and no "peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner," and thus fails to meet the threshold legal standard for a variance established in 11 DCMR 3103.2. Furthermore, I have been contacted by residents of the building who oppose the variance based upon concerns about security and disruption resulting from establishing a consolidated management office in the building. The residents believe such establishment would impose "substantial detriment to the public good" and would "substantially impair the intent, purpose, and integrity of the zone plan" in this R-5-B District. It is additionally disconcerting that the applicant has apparently been operating such an office illegally in this location for more than one year.

Overall, I believe that this variance would have a negative impact on these residents and therefore the neighborhood. I therefore oppose the variance request.

Sincerely,

Jim Graham

cc: Fred Sellers
JG/db