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May 7, 2003

17034

Mr Geoff Griffis, Chair
Board of Zoning Adjustment
441 4th Street, N.W.
Washington, D.C. 20001

D.C. OFFICE OF ZONING
2003 MAY 14 PM 4:17
RECEIVED

Dear Chairman Griffis,

RE: Development of Lots 19, 20 and 21 in Square 1270

The Citizens Association of Georgetown asks the Board of Zoning Adjustment to review the July 12, 2001 letter of the D.C. Zoning Administrator, of which we have only recently become aware. We believe that letter, which confirms the ability to develop three center lots (lots 19, 20, and 21) on the property located on the east side of the 1500 block of 32nd Street, N.W., "as a matter of right," represents a decision that is flawed and contains legal and factual errors.

We join ANC 2E in asking the Board to find whether the lots in question were erroneously deemed eligible for an exception under D.C. Zoning Regulations, including whether:

- The lots were unimproved on November 1, 1957 as required by the regulations;
- the lots were adjoining another unimproved lot in the same ownership at the time the matter of right was granted;
- the lots possess the minimum lot widths required by section 401.3, measured in accordance with zoning regulation definitions of "lot width";
- the Zoning Administrator can use the 2 percent discretionary adjustment in conjunction with other exceptions under the zoning regulations;
- the Zoning Administrator failed to consider whether permitting the development of the property was consistent with purposes of the applicable regulations; and
- the Zoning Administrator erred in concluding that the lots complied with the standards of section 401.3 of the Zoning Regulations.

Sincerely yours,

Ray Kukulski

Ray Kukulski
President

BZA
Case No. 17034
Exhibit No. 3

Board of Zoning Adjustment
District of Columbia
CASE NO. 17034
EXHIBIT NO. 3