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Washington, D.C. 20009

July 28, 2003

Chairman Geoffrey Griffis
Board of Zoning Adjustment
441 4th Street, Suite 2010 South
Washington, D.C. 20001

RE: Case No. 17044

Dear Chairman Griffis and Members of the Board:

I am writing to you to express my strong opposition to the application for a zoning variance in the above-named case. The rear of the building in question directly faces my condominium unit, including my patio and bedroom windows. As such, I am acutely aware of the impacts of the property use on issues of neighborhood property values, noise, privacy, and quality of life.

As a former local government lawyer with a specialization in zoning, planning, building codes, and historic preservation, I understand the constraints and processes that apply to this case. Any variance from the permitted use of an 8 room "rooming house" would require either: a) a finding of "peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property" from the strict application of D.C. Code Sections 5-413 to 5-432; or, (b) the granting of a "home occupations certificate" allowing for bed and breakfast type operations when the property is owner occupied and the use is subordinate to the residential use of the property, and is owner occupied. In the latter exception, the use is limited to no more than six rooms.

In the current case, it is my understanding that applicants seek a variance to alter the property to reconfigure bedroom and bathroom facilities to support 15 boarding house rooms. This use is inconsistent with other uses in the neighborhood, and is not justified by law or precedent. There is no basis for a finding of difficulties or hardship to sustain a variance, and without such a finding the application must fail. In fact, the granting of a variance would place a hardship on the immediate neighborhood, negatively impacting property values, traffic and parking concerns in a residential district, and the quality of life of immediately adjacent neighbors.

Further, the property in question is immediately adjacent to a single-family residence on one side, adjacent condominium residences on the other side and faces more condominiums across the terrace in the rear. Both condominium buildings are part of the Wyoming Plaza complex, of which I am a Condominium Association Board Member.

Case No. 17044
Exhibit No. 37

Board of Zoning Adjustment
District of Columbia
CASE NO. 17044
EXHIBIT NO. 37