1243 5th Street, N.W.
Washington, D.C. 20001

June 23, 2005

D.C. BOARD OF ZONING
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The Hon. Geoffrey Griffis
Chair, DC Board of Zoning Adjustment,
441 4th Street, NW, Suite 210 South,
Washington, DC 20001

Re: BZA Appeal No. 17325:
Revocation of C of O for 1412 Q Street, NW

Dear Chairman Griffis:

I am writing to you in support of the "Intervenor's Motion to Dismiss this Appeal" that was filed in this case by Andrea C. Ferster, Esq. on behalf of seven neighboring property owners on June 14, 2005.

WagTime, LLC's "Allegation of Error" in this case states "dog boarding is only a small percentage of its business and thus does not rise to the level of a principal use" (page 1 of Allegation of Error dated March 15, 2005). In my former capacity as Advisory Neighborhood Commissioner for Single Member District 2F01 (which district includes WagTime's premises at 1412 Q Street, NW), I had the opportunity:

(a) To meet with Ms. Lisa Schreiber (the owner of WagTime, LLC) on May 14, 2003 at a community meeting to discuss WagTime's business operations; and

(b) During the 20-day period between May 15, 2003 and June 3, 2003 (prior to ANC2F's regular monthly meeting on June 4, 2003), to engage in several telephone and e-mail exchanges with Ms. Schreiber concerning the nature of WagTime's operations.

I compiled the information about WagTime's operations provided by Ms. Schreiber during the course of these contacts into the attached summary entitled "WagTime Operation" which I distributed to the other ANC2F Commissioners in advance of our June 4 meeting so that they could understand the nature of WagTime's business. (The "WagTime Operation" document was also provided to the Board of Zoning Adjustment on January 6, 2004 and forms part of the written record in BZA Appeal No. 17092. *See* Attachment 16 to the Appellant's pre-hearing submission in that case.)

You will notice that the attached summary refers to dog boarding (or daycare) as "the third and last (but not least) area" of WagTime's business. During the course of my contacts with Ms. Schreiber between May 14 and June 3, 2003, I directly asked Ms. Schreiber whether WagTime could limit its operation to grooming services and retail at the 1412 Q Street premises (instead of grooming, retail and boarding). Ms Schreiber responded that a grooming-and-retail-only model would not be viable because the boarding portion of the operation was an essential element of WagTime's business.

I hope that this information may be useful to the Board of Zoning Adjustment in its consideration of Appeal No. 17325.

Sincerely,

Cary Silverman, Esq.
Former ANC2F01 Commissioner

Attachment: Appendix 16 to Appellants' January 6, 2004 Pre-Hearing Submission in Appeal No. 17092

BZA
Case No. 17325
Exhibit No. 24

Board of Zoning Adjustment
District of Columbia
CASE NO. 17325
EXHIBIT NO. 24

From: Cary Silverman [csilverman@juno.com]
Sent: Tuesday, June 03, 2003 7:18 PM
To: csilverman@anc2f.org
Subject: Wagtime Operations Plan



Wagtime Operation.doc

Attached is a document describing Wagtime's anticipated operations. The document is a compilation of several e-mails that I received from the owner of Wagtime in response to my questions to her. It is not meant as any sort of agreement or to bind Wagtime (or the community) in any way. I have distributed it to the Commissioners in advance of the meeting. I have limited the distribution of this document through this e-mail to only those who have recently contacted me with regard to this issue -- but feel free to pass it on to others if you think they would be interested.

Cary

Cary Silverman
Advisory Neighborhood Commissioner for Logan Circle (2F01)
1455 Q Street, N.W., Washington, D.C. 20009
(202) 238-9109 Fax: (202) 783-4211 www.anc2f.org

WAGTIME OPERATION

(The information below was compiled from various e-mails from Wagtime Owner, Lisa Schreiber)

Hours of Operation. Employees working the morning shift arrive at 6:45 a.m. At this time, the employee who stayed over night leaves. The clients start dropping their dogs off at 7 a.m. The majority of the daycare dogs arrive between 7 a.m. and 10a.m, but some additional dogs arrive throughout the day. All dogs will be brought inside by 6 p.m.

Boutique. The front of the facility is a boutique. This area will be swept and mopped as frequently as needed. Dog food will be sold as well as treats and gifts.

Grooming Area. Upstairs is the designated grooming area. This room consists of a new grooming tub and two grooming tables.

Daycare. The third and last (but not least) area is the daycare. This area features a large room inside where there is always water left out, but no food is ever left out for an extended length of time. The floor in the daycare is always kept clean with a pet friendly cleaning solution during the day and a bleach solution after the dogs go home. All dirty water will be disposed of in a mop sink located in the back of the room near the door. The outside area is intended to be an additional area for the dogs to play. Any barking will consistently be monitored and toned down if necessary. Dogs boarding overnight will not be outside. Dogs sleep inside the daycare on beds. Someone is with the dogs at all times.

Trash and Cleanliness. Employees working during the day maintain a clean, friendly, and quiet (as much as possible) environment. All waste will promptly be picked up and disposed of in 55 gal garbage bags. Garbage will be picked up by Fords Hauling service twice a week. The cans will be kept inside the garage door. A water hose is used to wash down the outside. The water is washed down the existing drain in the middle of the area. The front of the building will be kept neat and clean. Wagtime staff will monitor the surrounding area for any dog waste. In addition, Wagtime maintains a clean facility that is frequently monitored for rodents and other pests. An extermination company will be monitoring and treating any unwanted visitors.

Deliveries. Most deliveries are UPS or Fed Ex. No delivery trucks will block the streets.

Number of Dogs. On average, Wagtime anticipates hosting between approximately 25 to 35 dogs on a daily basis. At this early stage, it is difficult to ascertain the number of dogs that will be spending time inside versus outside. As a general matter, Wagtime hosts fewer dogs on the weekends than during the week, with the exception of holidays. Wagtime accepts only friendly, sweet and playful dogs that want a safe area to play with their friends. Wagtime thoroughly screens all tentative applicants prior to admission to the Spa.

Facility. Wagtime's total square footage is approximately 1,500 square feet. The new facility utilizes an existing fence along with a newly constructed canopy and awning. The entranceway will have a three-tier entry system separating the daycare from the street. There will be a buzzer for the enhanced protection of our guests, as well as an alarm and protection system.

Staffing and Training. Wagtime strives to maintain a sufficient ratio of well-trained, experienced staff to dogs in order to protect the safety and well-being of its guests, and moreover to ensure the orderly and peaceful operation of our business within the neighborhood.

Expected Traffic. Wagtime customers and their owners come in all shapes and sizes. Some customers come by foot, while others arrive by car. Whatever fashion our guests arrive, Wagtime will make various efforts to avoid any unnecessary traffic and/or double-parking in front of its store.