

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

Dear Chairman Hill and Members of the Board:

As a long-time resident living in close proximity to the Call Your Mother location at 3428, O Street NW, I am adamantly opposed to any variance for the applicant. The impact on the neighborhood will be damaging.

As I testified at the first BZA hearing, three other delis were proposed for this specific neighborhood, at 1263, 1300, and 1332 35th Street. In each case, the Board of Zoning Adjustment denied the relief being sought. Comments in the rulings included statements such as: “. . . . [the deli] would increase the amount of noise, traffic, vibration, or any other deleterious external effects”; “. . . . [the deli] would not be in harmony with the general purpose and intent of the Zoning Regulations and Maps”; and “. . . . there is a sufficient number of eating facilities already in the neighborhood.”

At the end of the hearing, Mr. Sullivan was directed to research these cases and respond. He basically ignored the order, merely stating that the cases were irrelevant. That is the answer of someone who realizes that, not only do the orders not advance his cause, they actually work to its detriment. In fact, the cases are extremely relevant. The location for all four is precisely the same, except that the area today is even more congested than in years past, and the operation is the same, except, as startups, the three earlier delis had a much smaller profile.

Whether the relief sought is through variance or special exception, the governing principle is the same – it can only be granted where there is no detriment to the public good and it is not inconsistent with the general intent and purpose of the zoning regulations. Three times the Board has spoken definitively: a deli in this immediate neighborhood would impact negatively on the surrounding area. There is no reason to expect that this fourth operation would have any less impact. There has been discussion that steps can be taken to minimize negative effects, for example, cordoned lines to control lines. The prior delis did not even anticipate problems such as customers waiting in line, yet the Board still felt the deli operations would cause problems. Just the fact that mitigating measures need to be considered admits the fact that Call Your Mother is not compatible with its residential surroundings.

The 1300 block of 35th Street where Call Your Mother would be located already supports five special-exception nonconforming businesses. This is in the heart of the residential district, on a residentially zoned street. At what point does the character of a neighborhood irrevocably change when yet another commercial establishment is thrust upon it? When people buy their homes, they rely on the zoning regulations to protect their investment and preserve the quality of their lives. Many residents enjoy the livelier ambience of a commercial or mixed-use neighborhood. However, those who want a quieter existence have the right to expect that what they chose is what they will continue to have. It is a serious responsibility that those who have to power to alter this equation exercise.

In his amended application changing the request from a use to an area variance, Mr. Sullivan seeks a waiver from the regulation concerning the distance between corner stores. It would be ironic if a regulation crafted with Georgetown in mind was ignored.

“The Commission also recognized that there already existed several corner stores in the Georgetown historic district and, due to the tight proximity of the commercial corridor and Georgetown University, accepted a larger spacing of corner stores in the R-20 zone from the commercial zone.”
BZA Order No. 08-06A.

I urge that you deny a variance for Call Your Mother.

Sincerely,

Karen Tammany Cruse
1259 35th Street NW