



Commissioner Rick Murphy

Advisory Neighborhood Commission 2E, District 2E03

October 22, 2019

Via E-Mail

Board of Zoning Adjustment
District of Columbia
441 4th Street, NW, Suite 200S
Washington, DC 20001

Re: BZA Case No. 20135, 3428 O Street LLC (Call Your Mother)

Chair Hill and Members of the Board:

I am writing to urge you to deny the above referenced application for a variance to permit a non-conforming use in the R-20 Zone. The property that is the subject of the application lies within the Single Member District I represent.¹

The Applicant requests the issuance of a use variance that would permit the operation of a bagel shop (“Call Your Mother”) at 3428 O Street, NW, deep within the R-20 Zone.² Call Your Mother already has a wildly successful store, which is located at 3301 Georgia Avenue, NW in the Georgia Avenue Mixed Use Zone (NC-7). That location is well suited for the level of traffic (both foot and vehicular), noise and trash it generates. The location the Applicant proposes for its second store is not.

According to the Zoning Code of 2016, one of the principal purposes of the R-20 Zone is to “[R]etain the quiet residential character of these areas and control compatible nonresidential uses.” In its Statement to this Board, the Applicant acknowledged that the variance should not be granted if it would “substantially impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations . . .” I voted against recommending issuance of the variance because I think it is clear that the insertion of a Call Your Mother store into the heart of the R-20 Zone is flatly inconsistent with the stated purpose for creating the zone, which was, “to retain the quiet residential character” of the neighborhood.

¹ I represent Single Member District Three in Advisory Neighborhood Commission 2E. I have been authorized to inform you that Commissioner Joe Gibbons, who represents Single Member District Two in ANC 2E, the boundary of which is one block north of the subject property, supports the statements made in this letter. At a regularly scheduled public meeting held on October 2, 2019 six members of ANC2E voted in support of the issuance of the requested use variance. Commissioner Gibbons and I voted in opposition.

² The R-20 Zone is comprised of the Georgetown National Historic Landmark District.

3136 P Street, N.W. • Washington, DC 20007

(202) 383-0635 • 2E03@anc.dc.gov

Board of Zoning Adjustment
District of Columbia
CASE NO.20135
EXHIBIT NO.41



Commissioner Rick Murphy

Advisory Neighborhood Commission 2E, District 2E03

I concur with the prediction Councilmember Jack Evans made in his letter to the Board dated October 17, 2019. The issuance of the requested variance would inevitably have a negative effect on the quality of life of the residents in the near vicinity.

The adoption by ANC 2E of a resolution supporting the requested variance is indicative of the fact that many members of our community would very much like to attract businesses like Call Your Mother to Georgetown. I share my colleagues' enthusiasm for having Call Your Mother in our neighborhood, but only if the business can be located in an area of the neighborhood that is zoned to accommodate the traffic and other issues that would inevitably flow from introducing a business such as Call Your Mother into the "quiet residential area".³

For the reasons set out in this letter Commissioner Gibbons and I urge you to deny the pending application for the issuance of a use variance that would permit the introduction of a clearly incompatible nonresidential use into the heart of our quiet residential neighborhood.

Thank you for your consideration.

Very truly yours,

Richard G. Murphy, Jr

cc: Commissioner Joe Gibbons

³ One of the most difficult problems faced by our community can be found just three blocks east of the proposed Call Your Mother location. The MU-4 Zone along Wisconsin Avenue is littered with empty storefronts that could easily house the Applicant's business. The MU-4 Zone is intended to "[p]rovide facilities for shopping and business needs, housing and mixed uses ... outside of the central core."

3136 P Street, N.W. • Washington, DC 20007

(202) 383-0635 • 2E03@anc.dc.gov