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January 20, 2026

Board of Zoning Adjustment
District of Columbia Department of Consumer and Regulatory Affairs
1100 4th Street SW, Suite E200
Washington, DC 20024

Re: Opposition to Valley Vista Condo Association Application No. 21409 -- Request to Construct a Loading Berth

Dear Members of the Board of Zoning Adjustment:

We are writing as homeowners residing adjacent to the property subject to Application No. 21409 filed by the Valley Vista Condo Association ("VVCA"). This application seeks approval to construct a loading berth in an area that is currently more akin to a shared driveway serving multiple residential homes. We, as neighboring residents directly affected by this proposal, strongly oppose this application, as it would have significant negative impacts on the safety, quality of life, and residential character of our neighborhood.

The proposed loading berth is situated immediately adjacent to several single-family homes, including ours, where families like ours rely on the area for safe, quiet access and recreation. Our household includes three young children, ages 6 and 9 (twins), who frequently play in the backyard and surrounding spaces. Transforming this driveway-like area into a designated loading zone would introduce substantial safety hazards. Delivery trucks, moving vans, and other large vehicles would increase traffic in a confined space not designed for such use, heightening the risk of accidents involving property and pedestrians, particularly children. The constant presence of idling trucks and the incessant beeping from loading activities would create unacceptable noise pollution, disrupting the peaceful residential environment we value and expect in this zoning district.

Furthermore, the VVCA has already demonstrated a failure to adequately enforce existing rules regarding vehicle access and parking. Delivery and moving trucks are routinely permitted to block the shared driveway in four-hour shifts, causing inconvenience and serious safety concerns for neighboring residents. This pattern of management's enabling of driveway blockages directly demonstrates VVCA's inability or unwillingness to enforce currently existing regulations—a troubling indicator of their capacity to manage any future loading berth operations responsibly. In several instances, vehicles have been parked illegally on the adjacent lawn, and heavy trucks have caused visible damage to the historic stone wall at the driveway entrance. These ongoing violations underscore the applicant's demonstrated failure to manage vehicle-related impacts. Approving this

application would only exacerbate these problems, formalizing a space for even more intensive commercial-like activity in a predominantly residential area.

Critically, the applicant has failed to demonstrate that it has conducted sufficient assessment, due diligence, or even a feasibility study to seek alternative and less obtrusive solutions to its claimed loading needs. The Board should require evidence of the applicant's efforts to explore other options before formalizing what would become a permanent fixture in our residential neighborhood. This is incompatible with the zoning intent to protect residential neighborhoods from such intrusions, and it would set a troubling precedent for further encroachments on our community's livability.

Further, DC applicants/ residents seeking zoning permits from the DC Board of Zoning Adjustment (BZA) such as variances or special exceptions, as in this case, must meet a standard of proof that demonstrates (i) how their project meets specific criteria in the DC Zoning Regulation (Subtitle X) and (ii) it won't harm the public good or zoning intent by submitting, for example, detailed statements, plans, and testimony demonstrating compliance. We are particularly concerned as VVCA has not met this standard, and there is no evidence that VVCA looked at other, less intrusive alternative arrangements to accomplish the same objective.

Specifically, Title 11 DC Municipal Regulations and Register (DCMR) (2016), Subtitle X, § 901.2(b) provides that the BZA may grant a special exception as long as it:

“[w]ill not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps,” and under § 901.3 that:

“[t]he applicant for a special exception shall have the full burden to prove no undue adverse impact and shall demonstrate such through evidence in the public record. If no evidence is presented in opposition to the case, the applicant shall not be relieved of this responsibility.”

VVCA has not met this burden, and its proposal will severely disrupt our neighborhood and substantively and irrevocably encroach on and interfere with our right to the quiet enjoyment of our properties. (See e.g., DC Code § 42–606).

Additionally, the requested relief does not meet the standard of being "impracticable" for the applicant; rather, it is merely "inconvenient." VVCA residents should be expected to apply for temporary parking permits through the DC Department of Transportation, just as all other District residents must do for similar needs. Convenience alone is not a valid basis for granting a special exception, especially when reasonable, code-compliant alternatives exist, such as utilizing the front streetside entrance for deliveries and loading activities. VVCA's assertion that the building generates lower loading demand because it is existing and "grandfathered" is disingenuous, as the frequency of resident moves, deliveries, and service vehicles has increased significantly in recent years, further straining the area.

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If, notwithstanding the foregoing concerns, the Board elects to grant the requested relief, we respectfully urge that stringent, enforceable conditions be attached to any approval to protect adjacent properties and preserve the residential character of the area.

1. **Hours of operation:** Loading, unloading, and related truck movements shall be limited to weekdays (Monday through Friday) between 9:00 a.m. and 5:00 p.m. only, with no loading or unloading permitted in the evenings, on weekends, or on District holidays. No more than one loading operation shall occur per day or more than three per week, and no single vehicle may occupy the loading berth for longer than thirty (30) minutes per operation.
2. **Vehicle size, type, and dimensions:** Use of the loading berth shall be restricted to small delivery vehicles and moving trucks not exceeding fourteen (14) feet in length, maximum width of eight (8) feet (the typical width for vehicles of this class), and an appropriate gross vehicle weight (e.g., 10,000 pounds), with tractor-trailers, semi-trailers, large box trucks, and similar heavy commercial vehicles expressly prohibited from utilizing the berth.
3. **Prohibited uses - no commercial deliveries:** The loading berth shall not be used for delivery purposes, including but not limited to e-commerce deliveries (e.g., Amazon), daily package deliveries, or similar commercial delivery services. Use shall be limited exclusively to resident moves and building maintenance activities only.
4. **Idling, noise, and lighting controls:** Vehicles utilizing the loading berth shall be prohibited from engine idling except as minimally necessary for active loading or unloading and, in all events, must comply with applicable District anti-idling and noise regulations, so as to minimize fumes and noise impacts on nearby residences. Use of horns, loud mechanical lifts, or backup alarms shall be prohibited outside the approved loading hours, and any lighting associated with the loading berth shall be shielded and directed downward to avoid glare or light spillover into adjacent residential properties.
5. **24-hour monitoring and compliance verification:** VVCA shall assign a qualified representative to monitor the loading berth twenty-four hours per day, seven days per week, to ensure compliance with all imposed conditions. This monitor shall have authority to immediately halt any loading operation that violates the imposed conditions, and shall maintain contemporaneous records of all loading activities, including the date, time, duration, vehicle type, and any violations or incidents.
6. **Physical protection, repair, and site management:** Prior to the commencement of any loading operations, VVCA shall install and maintain appropriate curbing, wheel stops, or bollards to prevent vehicles from mounting the lawn or encroaching into landscaped or pedestrian areas. Clear, conspicuous signage shall be installed to identify loading hours, vehicle size limits, "No Unauthorized



Parking," "No Idling," and "No Commercial Deliveries" requirements, and operation of the loading berth shall not at any time be permitted to block, obstruct, or unreasonably delay access to the shared driveway or adjacent residential properties, nor allow trucks to queue or stage in a manner that would impede emergency vehicle access.

7. **Operational management and records:** VVCA shall designate a property manager or association representative as the responsible point of contact for neighbors and District agencies, provide current contact information to adjacent residents, and promptly respond to complaints related to loading operations. VVCA shall maintain a contemporaneous log of all loading activities, including the date, time, duration, vehicle type, and any violations or complaints, and shall make such records available to District officials and affected neighbors upon reasonable request.
8. **Monitoring, enforcement, and review:** The Board's approval shall provide that if three (3) or more substantiated complaints related to loading operations are filed with District agencies within any rolling twelve (12)-month period, the special exception will be scheduled for review, at which time the Board may modify or revoke the approval if it finds that the use is causing adverse impacts inconsistent with the zoning regulations. Any material non-compliance with imposed conditions may be grounds for enforcement action, including fines or revocation of the special exception under applicable District zoning and enforcement provisions.
9. **Neighbor notification and risk protection:** For planned, larger-scale moves or deliveries reasonably expected to generate more intensive loading activity, VVCA shall provide at least forty-eight (48) hours' written or electronic notice to adjacent property owners. VVCA shall also maintain adequate liability insurance covering damage to adjacent properties arising from loading operations and shall promptly repair, at its own expense, any such damage that occurs.

In light of these concerns, we urge the Board to deny Application No. 21409. The proposed loading berth would unduly burden adjacent neighbors, compromise child safety, and degrade the residential nature of the area without providing any offsetting benefits to the community. The applicant's demonstrated inability to enforce existing rules regarding driveway access and its failure to explore reasonable alternatives make approval particularly inappropriate.

Thank you for considering our opposition. We are available to provide additional information or testify at any hearing on this matter.

Sincerely,



Tom and Stephanie Earp
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