Government of the District of Columbia
Zoning Commission

Z.C. Case No. 05-13

OPPOSITION OF JBG/LOUSIANA AVENUE, L.C.C. TO *SUA SPONTE* REVIEW AND MOTION TO DISQUALIFY COMMISSIONER KEVIN HILDEBRAND

For the following reasons, JBG/Louisiana Avenue, L.L.C. ("JBG") hereby opposes the Zoning Commission's (the "Commission") *sua sponte* review of the Board of Zoning Adjustment's (the "Board") decision in the underlying matter, BZA Application No. 17271, and moves to disqualify Commissioner Kevin Hildebrand on the grounds of personal bias, given Commissioner Hildebrand's involvement before the Board.

BACKGROUND

In the underlying matter, BZA Application No. 17271 (the "Application"), JBG sought a variance from the height limitations of section 1709.23 of the zoning regulations to allow the construction of an addition, designed by Richard Rogers Partnership, Architects, ("RRP"), to an existing, historic office building at the subject property, 51 Louisiana Avenue, N.W., Square 631, Lots 17 (the "Property"). It is undisputed that with the height variance, JBG will still not be able to utilize the matter of right density permitted on the site because of commitments made prior to JBG's ownership of the site which require that the existing office buildings be retained, and without the height variance the inability to use the density otherwise permitted on the site is even greater. Contrary to statements made by members of the Commission, the height variance was not sought to allow for the construction of an underground garage of any particular size but, rather, a necessity

ZONING COMMISSION
District of Columbia
CASE NO. 05-13
EXHIBIT NO. 3

RECEIVED
D.C. OFFICE OF ZONING
2005 JUN -7 PM 4:00

ZONING COMMISSION
District of Columbia
CASE NO.05-13
EXHIBIT NO.3