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2005 NOV -2 PM 4:41

November 1, 2005

The Hon. Carol J. Mitten,
Chair, DC Zoning Commission,
441 4th Street, NW, Suite 210-South,
Washington, DC 20001

BY FACSIMILE to: 202.727.6072

Re: ZC No. 05-21: Agenda Item on November 3, 2005
Dog Boarding – Text Amendment

Dear Chairwoman Mitten,

I am writing to you regarding the views and positions set out in the letter to you on the above subject dated October 31, 2005, from the Appellants in BZA Appeal No. 17092, the Q Street Association, and Dogs by Day boarding facility.

I would like the Commission to be aware that I share the views set out in that letter, with the exception of views in section 2 regarding exterior yards. I believe that dog boarding facilities should be permitted, in the context of the proposed special exception process and subject to appropriate conditions on their location and use, to have exterior areas in which dogs may interact or play. My own experience as the originator of this service in the District as operator of a daycare & boarding facility with a large exterior yard proves that it is possible for outdoor areas to be utilized responsibly and successfully in some areas of our city.

In fact, I selected the site for Dog-ma, my facility, based primarily on merits of offering outdoor group play in a physical location that would create no negative neighborhood impact resulting from noise or activity. Dog-ma is located on a one-way, dead-end street, bordered by a freeway overpass and surrounded on three sides by a park and a roadway, on a block with no adjacent businesses and no residents for many blocks in all directions. (I have attached an office of planning map to better illustrate our location.) The site lacks visibility from a business perspective--while conveniently located and accessible, it might have been described as isolated--but I selected it nonetheless, as the location was also initially more affordable, which was important given that I knew our ramp-up time might be longer than with a more traditional, well-traversed site. While I realized we may not as quickly gain recognition given the idiosyncrasies of the location, I hoped that Capitol Hill's dog-loving residents (along with dog-owning workers) would recognize we were providing a new and highly beneficial service, and that the entire community would benefit from our renovation of a long-vacant site that was basically a refuse dump. The last thing I knew I could afford to do was spend my time fighting noise-related problems and complaints, and in 8 years, Dog-ma has not generated a single one.

ZONING COMMISSION
District of Columbia
CASE NO.05-21
EXHIBIT NO.9

CASE NO. 05-21
EXHIBIT NO. 9

I would like strongly reiterate the point the Q Street Association makes about the hardship that I and my business will suffer if my facility is singled out (as currently proposed in the text amendment) as the only grandfathered dog boarding facility that has to undergo a separate special exception process in order to use its existing exterior yard. I do not want to be penalized for making what was clearly a responsible site selection decision for Dog-ma; we have borne the additional burden for the site's lack of visibility and can ill afford the cost of obtaining a zoning attorney and preparing a case for the BZA, plus the uncertainty that our business would face in the meantime, including whether we can or cannot legally operate the yard until the exception is granted. Our outdoor yard is an integral part of the viability of Dog-ma; it's one of the primary reasons people choose our facility and functions as a large part of the capacity for housing dogs during daytime hours. **I urge the Commission to either: (1) approve exterior yards in general in the text amendment; (2) grandfather my existing exterior yard; or (3) use its power to act as the BZA and, at the same time that it adopts the new regulations, grant my facility a special exception to operate our exterior yard.**

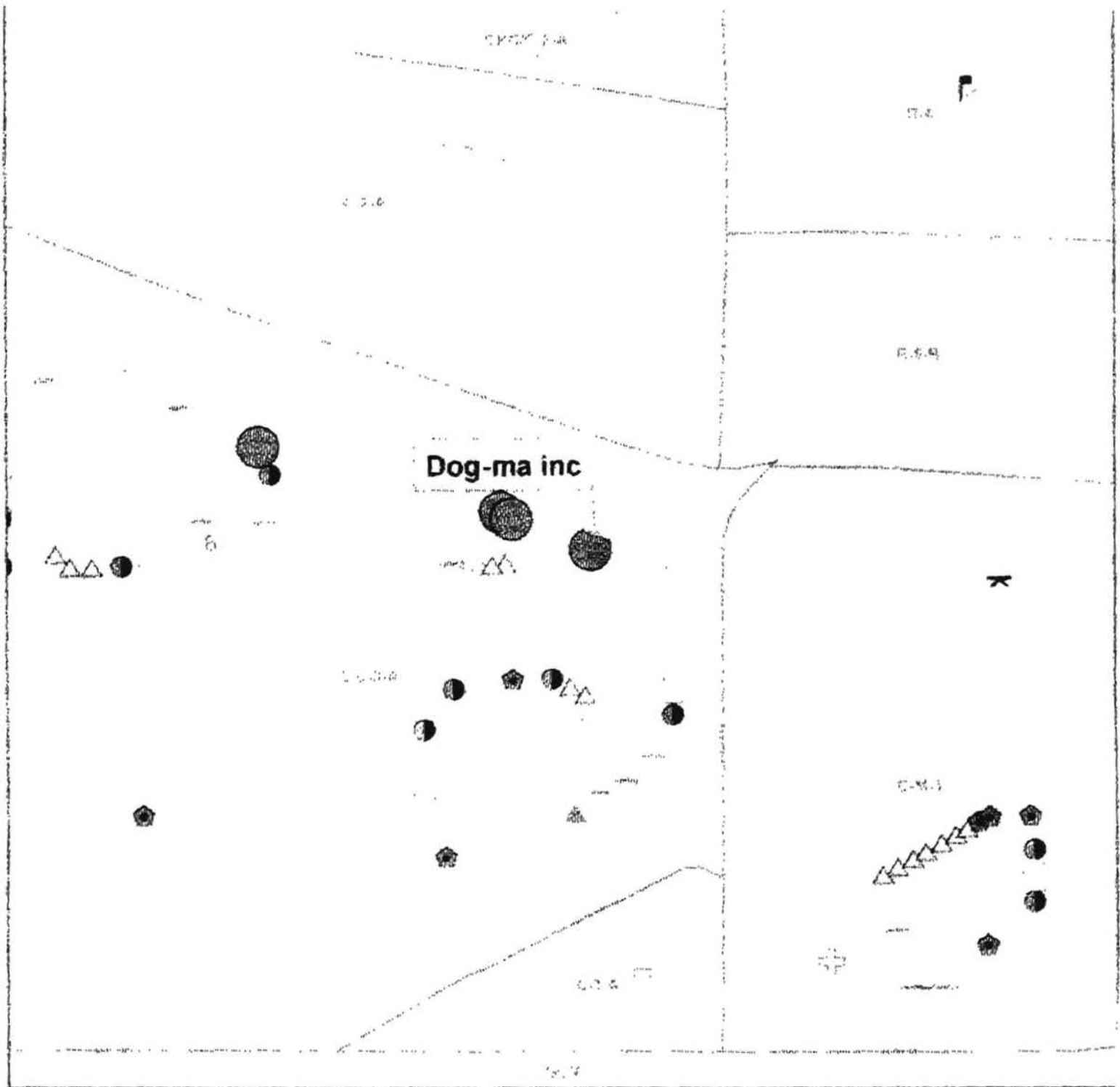
Again, aside from this single issue of exterior yards, I agree with the positions taken by the Appellants, the Q Street Association, and Dogs by Day in their letter, and thank you for considering our position.

Sincerely,

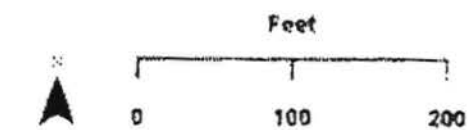
Rebecca Bisgyer

President, Dog-ma
821 Virginia Avenue, SE
Washington, DC 20003
Tel. 202.543.7805

cc: Ms. Ellen McCarthy, Director, Office of Planning
Ms. Jennifer Steingasser, Deputy Director, Office of Planning
Mr. Stephen Mordfin, Case Manager 05-21, Office of Planning
Mr. Alan Bergstein, Chief Counsel, Land Use Division, Office of the Attorney General
Mr. Bill Crews, Zoning Administrator, Department of Consumer & Regulatory Affairs



Dog-ma inc 821 Virginia Avenue, S.E.



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|-------------------|----------------------|
| △ Non-Conforming | ● Retail Store |
| ⬠ Small Office | ○ Medical |
| - - - Parking Lot | ~ Vehicle Sales |
| Vacant: 197 | ● <all other values> |

Government of the
District of Columbia
Anthony A. Williams, Mayor

Office of Planning - June 9, 2005

This map was created for planning





Fax Cover Sheet

Dog-ma Daycare & Boarding for Dogs
821 Virginia Avenue SE
Washington, DC 20003
202 543 7805

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Send to: Carol Mitten Zoning Commission	From: Rebecca Bisgyer Dog-ma Daycare & Boarding for Dogs
Date: 11/2/05	
Fax Number: 202-727-6072	# of Pages: 4

- ☐ Urgent
- ☐ Reply ASAP
- ☐ Please comment
- ☐ Please Review
- ☐ For your Information

Comments:

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