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Mr. Frederick L. Hill
Chairman
District of Columbia Board of Zoning Adjustment
441 4th Street, NW
Suite 200 South
Washington, DC 20001

Re: BA Case 19659 (FSMB) – 2118 Leroy Pl., NW – Opposition to Requested Relief

To the Chairman:

We reside at 2121 Leroy Place, NW, directly across the street and well within 200 yards of 2118 Leroy Place, NW, the subject of BA Case 19659. We oppose the application of the Federation of State Medical Boards for zoning relief. The property should retain its R3 designation with the sole permitted use to be residential.

We purchased our residence on Leroy Place in 2014. We purchased our home after duly investigating the neighborhood, including the zoning maps and the uses of the surrounding buildings. The structure at 2118 – directly across the street from our home – was not at that time used as commercial office space; rather, it was used for diplomatic chancery purposes (as are some other buildings on Leroy Place and elsewhere in the neighborhood). In purchasing our home, we relied on the zoning maps and the permitted use of buildings within our zone -- residential. We relied on our investigation of the *actual* uses of the surrounding buildings at the time, and we relied on our confidence that zoning maps would be respected in the event of requested changes to the then-current uses. We do not believe we would have purchased our residential property had the building across the street been used as office building with more than 8000 square feet of office space. Use of a large building that is in the middle of a residential block as an office building would be inconsistent with the neighborhood, especially a neighborhood such as ours with no buildings used as commercial office space.

As we are sure the Board appreciates, what the Federation of State Medical Boards is asking is to **convert** 2118 Leroy Place into a mid-block office building, pure and simple. When the Federation purchased the building in the middle of Leroy Place, we are sure that that the Federation investigated – as we did when we purchased on Leroy Place – the zoning restrictions. Nonetheless, the Federation elected to acquire the building in an R3 zone with the knowledge that R3 is designed for detached and row houses only, and the Federation (and its advisors and/or representatives) knew the usage restrictions in an R3 zone.


The Federation has not shown any reason for the Board to permit any other use by the Federation, its tenants, or subsequent owners or occupants. The Board has failed to establish that its requested zoning relief will not adversely impact the existing residential character of the neighborhood. For example, the Federation baldly asserts that it has plans for the building and that “[t]he proposed office use will have no greater impact than the previous embassy use.” However, the Federation has presented absolutely no evidence concerning the previous embassy use or its impact on the neighborhood, and no studies or any other evidence as to what unfettered office use will do to the character of the neighborhood. (It is not the burden of neighbors to establish prior usage patterns, but as the BZA is fully aware, many consular buildings in the District are under-utilized. In fact, the Colombian embassy apparently decided to consolidate the functions that had been undertaken at 2118 Leroy Place in part because the embassy did not need the over 8000 square feet within the building to carry out those limited functions.) The Federation – through professional and experienced land use counsel – has not been able to offer any evidence that mid-block office use will not adversely impact the R3 neighborhood. Unless the Federation affirmatively overcomes the presumption that existing zoning requirements mean what they say, no relief should be granted.

Rather than offering evidence, counsel has simply asserted in a conclusory (but incorrect) fashion that office use would be in harmony with the general purpose and intent of the zoning regulations and zoning maps, and will not tend to affect adversely the use of neighboring property. I live in the neighboring property. An office has the potential for an ever-changing population of workers; the potential for an undefined number of workers to come and go at all hours of the day or night – on foot, on bicycle, in their personal vehicles, and by taxi and ride-share services; the potential for members of the public to travel back-and-forth to the building for very short stays in it; the potential for regular commercial deliveries (furnishings, office supplies, food and beverage, etc.) in vehicles of all sizes; the potential for service calls that might be much more frequent for a large office space than for one residence (and the vehicular traffic and parking issues that come with service calls); the potential for disputes between occupants or landlords and multiple tenants to disrupt neighborhood tranquility; and the potential for a myriad of other adverse effects that are inconsistent with the residential character that an R3 designation describes. We oppose the disruption to the quality of residential life that an office building in the middle of Leroy Place would create.

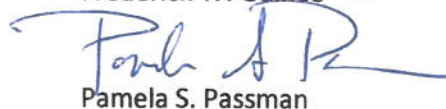
Finally, as members of the Kalorama-Sheridan neighborhood, we believe that office use at 2118 Leroy Place will undermine the character of the neighborhood as a whole and could set a precedent for conversions of other buildings in our community to office (or other non-residential) use.

Thank you for your consideration.

Sincerely,



Frederick W. Guinee



Pamela S. Passman