

## Cochran, Patricia (DCOZ)

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**From:** james cruse <tammanycruse@verizon.net>  
**Sent:** Wednesday, January 15, 2020 12:02 AM  
**To:** DCOZ - BZA Submissions (DCOZ)  
**Subject:** Case 20135

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Dear Chairman Hill and Members of the Board:

The 6-2 vote of ANC2E in support of Call Your Mother was mentioned repeatedly at three previous BZ hearings, where it was stated that ANCs are accorded great weight in BZA matters. We heard Commissioner Palmer testify, explaining the commission's vote. She addressed the matter of negative impacts on the surrounding neighborhood, stating that those in support felt comfortable with measures that could be imposed on CYM which would mitigate these impacts. (Mitigate means lessen not eliminate, a tacit admission that there would still be disruption.)

What we did not hear was one word about the two other criteria necessary for a variance. Nor were these requirements mentioned in the ANC's submissions. This was not surprising. At the two commission meetings at which CYM was addressed, not one of the six commissioners broached the topic, even when pointedly challenged on the omission. It was obvious that their position was determined well in advance, as evidenced by the previously drafted resolution read immediately after the last resident spoke. It was clear that the commissioners wanted one thing - the bagels, claiming that that was wish of their constituents.

Commissioner Hill has twice said that zoning is not a popularity contest; yet that is what this case has become. However, when ANCs are accorded great weight, I would think that the underlying principle is that their vote should come after careful deliberation of all facets of the matter. Merely picking and choosing what supports the popular outcome should definitely not be sufficient. Zoning is too important a responsibility to be treated so lightly.

At the end of the first ANC meeting, one commissioner made a statement that was jaw-dropping: "Unfortunately, sometimes for the good of the many, a few have to sacrifice", and then voted for the variance. This cavalier attitude actually acknowledges that there will be problems. However, so people who will suffer no effects can achieve their goal, the "few" will face daily, weekly, monthly difficulties that the supporters can only hope mitigating measures will lessen.

You sacrifice when a hospital adds a wing where lives will be saved. Or a road is widened so tens of thousands can travel more efficiently and safely. But for a bagel? Is this really what drafters of the zoning regulations intended when they crafted requirements for a variance?

Respectfully,  
Karen Cruse