

June 12, 2003

Excerpt from testimony before City Council
Budget Hearing on Office of Zoning

Zoning Subcommittee of the Committee of 100 on the Federal City

With regard to the budget of the Office of Zoning, we have recommended to the Board of Trustees, and would commend to you:

1. That independent counsel be provided to the Office of Zoning. Not to take one thing away from the efforts of Marie Sansone to provide professional, objective counsel to the Office, but there is unavoidable conflict when the same Office of Corporation Counsel that provides legal representation to, for instance, the Zoning Administrator, must also provide counsel to the Board of Zoning Adjustment when it considers appeals to the Zoning Administrator's decisions.

This would be parallel to the independent counsel that advises the Board of Elections and Ethics, rather than relying upon Corporation Counsel, and it underscores the independence of these bodies.

2. We have increasing concern about the undermining of the Zoning Commission by the nature of some recent opinions of the Zoning Administrator. This presents particular difficulty because the opinions of the ZA are not made available through any normal channel. They must be ferreted out. We recommend that publication be required through the D. C. Register. In the interim, a complete set of rulings should be made available for review both online and in hard copies at the Zoning Administrator's office.

3. We appreciate the additional resources that Council and the Administration have made available to enhance the performance of the Office of Zoning, and all who come in regular contact with the Office know of the great improvements. But we appear to be in a situation where we are trying to put five quarts in a gallon jug. The additional staff is working in conditions that are inappropriately crowded, making the professionalism they strive for hard to achieve.

Barbara Zartman, Chair