GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

★ ★ ★

David Clarke, Director
Department of Consumer and Regulatory Affairs
941 North Capitol Street, N.E., Suite 9500
Washington, D.C. 20002

FEB 1 2 2004

Re: BZA Appeal No. 17127
(5111 Connecticut Avenue, N.W.)

Dear Mr. Clarke:

You are hereby notified to appear before the Board of Zoning Adjustment on Tuesday, April 13, 2004, at 441 4th Street, N.W., Suite 220, Washington, D.C., 20001 for a public hearing concerning the following appeal:

> **Appeal of Nebraska Avenue Neighborhood Association**, pursuant to 11 DCMR §§ 3100 and 3101, from the administrative decision of the Acting Zoning Administrator, Department of Consumer and Regulatory Affairs (DCRA) for the issuance of multiple building permits, allowing the construction of a community residence facility (assisted living facility). Appellant alleges that DCRA erred by issuing the building permits as the under construction building is in violation of several zoning requirements including rear yard, FAR, roof structure, building height, parking, operating without a certificate of occupancy, etc. The subject property is located in the R-2 and R-5-B Districts at remises 5111 Connecticut Avenue, N.W. (Square 1989, Lot 162).

This case is in Advisory Neighborhood Commission 3G. This case will be heard between 1:00 p.m. and 6:00 p.m.

If you have any questions or require any additional information, feel free to call the Office of Zoning at (202) 727-6311.

Sincerely,

JERRILY R. KRESS, FAIA
Director

cc: Julie Lee, General Counsel, DCRA
Carl Wilson, Deputy
General Counsel, DCRA
Denzel Noble, DCRA
Alan Bergstein, Esquire
Corporation Counsel
Sunrise Development, Owner
c/o Paul Klaassen, Director & CEO
Anne P. Chiapella, Appellant
ANC-3G, Appellant

appealhrg17127ljp

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17127
EXHIBIT NO. 12

Board of Zoning Adjustment
District of Columbia
CASE NO. 17127
EXHIBIT NO. 12

If you wish to forward comments in writing directly to the Board, such comments should be addressed to the Board of Zoning Adjustment at 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.

Sincerely,

JERRILY R. KRESS, FAIA
Director

Enclosure

appealhrg17127/ljp

EXCERPT FROM TITLE 11 DCMR, "ZONING

3115 ADVISORY NEIGHBORHOOD COMMISSIONS

3115.1 The written report of the ANC shall be submitted to the Board at least seven (7) days in advance of the hearing and shall contain the following information:

(a) An identification of the appeal or application;

(b) When the public meeting of the ANC to consider the appeal or application was held;

(c) Whether proper notice of that meeting was given by the ANC;

(d) The number of members of the ANC that constitutes a quorum and the number of members present at the meeting;

(e) The issues and concerns of the ANC about the appeal or application, as related to the standards of the Zoning Regulations against the appeal or application must be judged;

(f) The recommendation, if any, of the ANC as to the disposition of the appeal or application;

(g) The vote on the motion to adopt the report to the Board;

(h) The name of the person who is authorized by the ANC to present the report; and

(i) The signature of the chairperson or vice-chairperson of the ANC.

3115.2 The Board shall give "great weight" to the written report of the ANC, as required by No. 1-261, D.C. Code, 1982 ed.

3115.3 In the event the ANC submits its report on the basis of understandings, agreements, or meetings with the appellant, or applicant which later are modified by appellant or applicant, the designated representative of the ANC may comment orally concerning the specific inconsistencies. No other new matters may be presented orally by the designated representative of the ANC.