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Jack McKay 1D03 Chair jack.mckay@verizon.net	P.O. Box 43529 Washington, DC 20010 Tel. 462-8692 Web: www.anc1d.org	Angelia Scott, 1D06 pastorascott@yahoo.com

ANC 1-D 1636 Irving St NW BZA Appeal Dismissal Resolution

Passed by unanimous roll-call vote at the legally noticed, public monthly meeting of September 6, 2005, with a quorum present.

RESOLVED, that ANC1D requests that the BZA deny the Motion to Dismiss regarding appeal no. 17411 filed by counsel to 1636 Irving Street, LLC and The Madera Condominium Association and that the approximate hearing date of February 2006 be honored.

Issues and Concerns

On May 26, 2005 ANC 1D received a letter from Director Patrick Canavan, Director of DCRA, in response to ANC 1D resolution "ANC 1-D Irving Street Zoning Resolution," passed unanimously at the legally noticed, public monthly meeting of May 23, 2005, with a quorum present. In this letter Director Canavan admits that "gross mistakes were made at the highest levels of the zoning administration" with respect to the matter of 1636 Irving Street, NW and that "The Zoning Administrator will not deny the property owners a Certificate of Occupancy for the property on the basis of the zoning review error. ANC 1D, of course, has the right to appeal this decision to the Board of Zoning Adjustments (BZA)."

ANC 1D continues to be gravely concerned with the inability of DCRA to produce the required plans, permits, and the Certificate of Occupancy for the building constructed at 1636 Irving St. In a letter to Commissioner Richard Wysocki dated July 14, 2005, Gwendolyn Davis, ANC liaison for DCRA, stated that a "search of our records reveals that the records in question still have not been located." Ms. Davis further states that the "Building and Land Regulation Administration (BLRA), who is the custodian of these records, will continue to search for the misplaced records. We do anticipate finding these records and will contact you as soon as we have done so, and provide you with those copies you are seeking." As of today's date, September 6, 2005, these records have not been produced.

ANC 1D believes that the records to support appeal no. 17411 exist and that additional time is necessary for BLRA to produce them. ANC 1D views with alarm the issues involved and believes that the hearing is necessary to resolve these extremely important issues.

-- Jack McKay
Chair, ANC 1D
September 12, 2005

BZA
Case No. 17411
Exhibit No. 18

Board of Zoning Adjustment
District of Columbia
CASE NO. 17411
EXHIBIT NO. 18

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ANC 1D (Mount Pleasant)

Fax

To:	Sara Bardin	**From:**	Jack McKay
Fax:	727-6072	**Date:**	September 12, 2005
Phone:	[Click here and type phone number]	**Pages:**	[Click here and type number of pages]
Re:	[Click here and type subject of fax]	**CC:**	[Click here and type name]

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