GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning

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MEMORANDUM

To: Single Member District – ANC
6C02

From: Richard S. Nero, Jr. RN
Deputy Director of Operations

Date: SEP 26 2011

Re: Notice of Filing Date: 09/26/11 BZA Case No. 18308

This is to inform you that the above-numbered case has been filed before the Board of Zoning Adjustment for zoning relief. The property that is the subject of this case is within your Single Member District Boundary. Therefore, I am attaching a copy of the case, as your Single Member District may be affected. For additional information, please contact the Office of Zoning at 202-727-6311.

APPROXIMATE HEARING DATE: FEB 2012

A copy of 11 DCMR Section 3115 is on the reverse side.

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18308
EXHIBIT NO. 13

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District of Columbia
CASE NO.18308
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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.

Great weight does not mean that the Board must defer to an ANC's view, but instead requires acknowledgement of the Commission as the source of the recommendations and explicit reference to each of the Commission's issues and concerns. It is therefore important that the written report not only indicate whether the ANC supports or opposes the application, but that is also identify each issue and concern that led to the recommendation made.