



ADVISORY NEIGHBORHOOD COMMISSION 2F
Government of the District of Columbia
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February 14, 2013

(Via email only to bzasubmissions@dc.gov)

Board of Zoning Adjustment
441 4th Street, NW
Room 2108
Washington, DC 20001

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18474
EXHIBIT NO. 42

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D.C. OFFICE OF ZONING
2013 FEB 15 AM 10:02

Re: BZA Case No. 18474 / Wagtime LLC
1232 9th Street, NW (Lot 911, Square 368)

Dear Members of the Board:

On February 6, 2013, at its regularly scheduled and duly noticed public meeting, at which a quorum was present and acting throughout, Advisory Neighborhood Commission 2F (the ANC) voted unanimously (8-0) to support Board of Zoning Adjustment (BZA) case number 18474 for the Property (Property) located at 1232 9th St. NW.

The application comprises a variance from Sections 735.3, 736.5, and 739.6 of the Zoning Regulations in order to permit the use of the one roof deck at the Property in connection with animal boarding, pet grooming, and animal shelter uses.

The deck for which the Applicant seeks a variance was constructed in 2008 when the Applicant purchased the property at 1232 9th St. and converted it for use as an animal grooming and boarding business. During the course of the renovations the Applicant applied for permits to alter the inside of the building, as well as permits to repair exterior windows. However, the Applicant failed to apply for a permit from DCRA to construct the deck for which the variance is now sought and failed to have it inspected by DCRA after construction.

Notwithstanding the absence of the proper permits, the ANC supports the requested relief upon the following conditions, which the Applicant has agreed to:

1. The approval of the use of the roof deck shall be for a period of 5 years. At the end of the 5 year period, the Applicant shall return to the ANC and BZA to seek renewed approval for the continued use of the space.

BZA

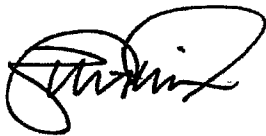
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2. No animals shall be permitted on the roof deck between the hours of 6:00 p.m. and 9:00 a.m.
3. No more than five animals shall be permitted on the roof deck at any one time.
4. A Wagtime employee shall be on the roof deck at all times when there are animals present.
5. A Liaison Committee shall be established to address any neighborhood concerns regarding the operation of the site. The names of the committee members shall be provided to the ANC within 60 days of the approval of the application by the BZA. The committee shall include a representative from Wagtime and a neighborhood representative selected by the ANC commissioner in whose district the business is located.
6. Starting 6 months after the BZA's approval of the application, the liaison committee shall begin review of the Applicant's operation at the property and report its findings to the ANC. The review period shall extend for the entirety of the 5 year period of the variance. If at any time during the 5 year period of the variance the ANC finds that the conditions of the variance are not being met, the ANC shall recommend changes to the variance agreement to the BZA, up to and including the complete revocation of the variance.

After careful scrutiny and consideration, the ANC therefore urges the BZA, pursuant to District of Columbia Code §1-309.10, to accord great weight to its advice and grant the above referenced variance relief, pursuant to §3103.2 of the Zoning Regulations (11 DCMR §3103.2).

Respectfully Submitted,



Walt Cain
Commissioner, ANC 2F
Chairman, Community Development Committee

cc: *(via email only)*
ANC 2F Commissioners
Jennifer Dusek, Executive Director, ANC 2F
Leila Batties, Holland & Knight

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