

MARK G. GRIFFIN (DC, MD)
 BRIAN P. MURPHY (DC, MD)
 ASHLEY E. WIGGINS (DC, MD, VA)
 MERIDITH H. MOLDENHAUER (DC, MD, VA)
 ERIC M. DANIEL (MD, DC)

DIRECT DIAL: 202-503-1482
 DIRECT EMAIL: mmoldenhauer@washlaw.com

Executive Summary

Case No. 18562

Site Description

Address: 1538 New Jersey Ave., NW
Square/Lot: Sq. 510, Lot 53

Zoning: R-4

Existing: Church and 1 Apartment

Historic District: None

Public Transportation:

- Metro:
 - Shaw
 - Mt. Vernon Square
- Metrobus:
 - Routes: 96, G2
 - Stops: NJ Ave & Q St NW; RI Ave & NJ Ave NW; Gla Ave & 3rd St NW
- Capital Bikeshare:
 - 7th & R/Shaw Lib. (15 docks)
 - Fla. Ave & R St (15 docks)
- Car Sharing:
 - Zipcar: 3 spaces
 - Car2Go

Cases:

- *Palmer v. D.C. BZA*
- *Russell v. D.C. BZA*
- *Tyler, et. al. v. D.C. BZA*

Project Description

Applicant	1538 New Jersey Avenue, LLC
Proposal	7-unit Apartment Building
Relief Sought	Lot Area (\$401.3)
Variance Standard	Exceptional Circumstance: Confluence of Factors 1. Prior use as a church 2. Illegal construction and work without permits 3. Dilapidated condition of existing structure Strict Application Results in Practical Difficulty: • Economic infeasibility due to costly renovation. • Fewer than seven units results in a loss or far less than a reasonable return. No Detriment to Public Good: • Renovates dilapidated structure • Returns structure to residential use as intended by Zone Plan • Provides needed addition to housing supply

BOARD OF ZONING ADJUSTMENT
 District of Columbia

CASE NO. 18562
 EXHIBIT NO. 28

Comments of District Agencies and Community:

- Unanimous support from ANC 6E
- 3 Letters of Support from Neighbors (including adjacent owner)

LAW OFFICES
GRIFFIN, MURPHY, MOLDENHAUER & WIGGINS, LLP

MARK G. GRIFFIN (DC, MD)
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DIRECT DIAL 202-530-1482
DIRECT EMAIL mmoldenhauer@washlaw.com

May 28, 2013

Board of Zoning Adjustment
441 4th Street, NW
Suite 210S
Washington, DC 20001

Re: Application No. 18562 – 1538 New Jersey Avenue NW (Square 510, Lot 53)
Prehearing Statement of the Applicant

Honorable Members of the Board:

On behalf of Applicant 1538 New Jersey Avenue, LLC, enclosed please find the Prehearing Statement for the above-referenced application. The application is scheduled to be heard before the Board of Zoning Adjustment on June 11, 2013.

Thank you for your attention to this matter.

Sincerely,

GRIFFIN, MURPHY,
MOLDENHAUER & WIGGINS, LLP


By: Meridith H. Moldenhauer

Enclosures:

Cc: Advisory Neighborhood Commission 6E
c/o Rachelle P. Nigro, Chair (via email)
Single Member District Representative, Keven Chapple (via email)
Arthur Jackson, Office of Planning (via email)
Cliff Moy, Board of Zoning Adjustment (via email)

**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

**APPLICATION OF
1538 NEW JERSEY AVENUE, LLC**

**BZA APPLICATION NO. 18562
HEARING DATE: JUNE 11, 2013**

PREHEARING STATEMENT OF THE APPLICANT

I. NATURE OF RELIEF SOUGHT

This statement is submitted on behalf of 1538 New Jersey Avenue, LLC (the “Applicant”), the owner of property located at 1538 New Jersey Avenue NW, Lot 53 in Square 510 (the “Property”) in support of its application for variance relief, pursuant to 11 DCMR §3103.2, regarding the lot area requirement (§401.3) to allow the Applicant to convert a church and residential unit to a multiunit apartment building in an R-4 District.

II. JURISDICTION OF THE BOARD

The Board of Zoning Adjustment (the “Board” or “BZA”) has jurisdiction to grant the variance requested herein pursuant to §3103.2 of the Zoning Regulations.

III. EXHIBITS IN SUPPORT OF THE APPLICATION

Exhibit A: Revised Profit & Loss Analysis and Construction Budget

Exhibit B: Rental Comparables

Exhibit C: Revised Elevation and Building Section Plan

Exhibit D: ANC Letter in Support

Exhibit E: Neighbor Letters in Support

IV. APPLICANT MEETS BURDEN OF PROOF FOR VARIANCE RELIEF

The Board is authorized to grant an area variance where it finds that the Applicant fulfills the three-prong area variance standard. As described in the initial application, supplemented in this Prehearing Statement, and as will be further explained at the public hearing, all three prongs of the area variance test are satisfied.

A. The Property is Unusual Because of its Size, Shape or Topography and is Affected by an Exceptional Situation or Condition.

The phrase “exceptional situation or condition” in the variance test applies not only to the land, but also to the existence and configuration of a building on the land. *See Clerics of St. Viator, Inc. v. District of Columbia Bd. of Zoning Adjustment*, 320 A.2d 291, 294 (D.C. 1974). Moreover, the unique or exceptional situation may arise from a confluence of factors which affect a single property. *Gilmartin v. District of Columbia Bd. of Zoning Adjustment*, 579 A.2d 1164, 1168 (D.C. 1990). As described in the initial submission, the Property is unusual and affected by an exceptional situation and condition as a result of a confluence of the following factors: (1) the Property was previously used as a church; (2) the Property’s history shows illegal construction and work without a permit; and (3) the existing structure lacks basic features and is in a dilapidated, deteriorated condition.

B. Strict Application of the Zoning Regulations would Result in Practical Difficulty

The Applicant has discussed in great detail the various ways that strict application of the Zoning Regulations would result in practical difficulty to the Applicant in the initial submission. At this point, the Applicant seeks only to (1) further substantiate the practical difficulty associated with financial infeasibility, (2) provide additional details with respect to elevation, and (3) clarify the parking spaces required and provided by the Applicant.

1. Financial Infeasibility

Under §401.3, the conversion of a building or structure to an apartment house in the R-4 District is permitted, but requires a minimum of 900 square feet of lot area per apartment unit. In light of the extensive renovations necessitated by the history and physical condition of the Property, a seven-unit structure is required for the project to be financially feasible. In this instance, the Applicant has demonstrated that without a variance the Property will not generate a fair and reasonable return on investment. It is not simply that compliance with the lot area requirement would produce less of a profit for the Applicant. Rather, *any* renovation of the existing structure that results in income from the rental of

fewer than seven units would result in an economically infeasible project. In response to discussions with the Office of Planning, the Applicant has supplemented the Profit & Loss Analysis submitted with the initial application with an additional scenario for a 2-unit structure and a detailed Construction Budget for each of the four scenarios. *See Revised Profit & Loss Analysis and Construction Budget at Exhibit A.* The Rental Comparables provide the support for monthly rental income used in the Profit and Loss Analysis. *See Exhibit B.*

The two-unit and three-unit scenarios both entail working within the existing structure without digging out a cellar. The hard cost contingencies are somewhat higher for these two because of the unknown liability associated with the existing structure including illegal construction and prior construction compliance issues. Both a two-unit project, permitted as a matter of right, and 3-unit project would result in an annual loss of \$16,368 and \$9,817 respectively. The Property's long history of noncompliant uses makes matter of right use of the Property unviable. The five-unit and seven-unit scenarios entail demolishing the majority of the existing structure, digging out the cellar, and adding a 3rd story, all of which is permitted as a matter of right. A five-unit project would barely break even creating an unworkable option due to the paper thin margin.

The proposed seven-unit project for which relief is requested would result in a practical cash flow scenario. The return on equity for the proposed project, over the first year, is under 10%. In sum, the seven-unit project results in a reasonable, but modest, return to the Applicant while a project with fewer units results in an economically infeasible project. Therefore, a practical difficulty exists because the existing structure and prior use requires such a large investment that construction and renovation becomes feasible only with the rental income from seven units.

2. Height and Elevations

In response to comments from the Office of Planning, additional details regarding elevation are now provided. The existing church is 21 feet and has a roughly 2-foot crawl space but no basement. As indicated in the Initial Submission at Tab 11 and Revised Elevation Plan, see Exhibit C, the proposed

structure is 35'-6" and three stories plus a cellar which is permitted as a matter of right. The more detailed elevation plan and building section plan has been included to also clarify that the cellar level is less than 4 feet at 3'-11".

3. *Parking*

The Property currently provides zero parking spaces on site. Based on the prior use as a church, the Property has five parking credits. Pursuant to §2101.1, the proposed project requires 2 parking spaces. While the initial application stated that the project would not provide parking spaces because of the parking credits available, the Property will, in fact, contain 2 parking spaces. Accordingly, no variance for parking is required.

C. No Detriment to Public Good or Inconsistency with Zone Plan

Approval of the application will not cause detriment to the public good or be inconsistent with the Zone Plan. By removing a poorly constructed church and constructing a well-maintained, residential structure, the Applicant is replacing what is currently a detriment to the neighborhood with an asset to the nearby community. On May 1, the Applicant presented at the ANC 6E Meeting to present the project and answer any questions. At that meeting, ANC 6E voted unanimously to recommend approval to the BZA. See ANC Letter at Exhibit D. Additionally, the Applicant has contacted the adjacent neighbor to the south who approves of the new design because it is in keeping with the character of the surrounding area and supports relief for seven units. Attached we submit 3 letters in support of this application. See Exhibit E.

V. WITNESSES

The following witnesses will appear on behalf of the Applicant:

1. Ryan Samuel, on behalf of the Applicant
2. Hugo Roell, Architect on behalf of Roell Architects, PC.

VI. CONCLUSION

For the reasons stated above, and for the reasons enumerated in the Applicant's prior filings in this case, we hereby submit that the application meets the requirements for area variance relief. We look forward to presenting our case to the Board on June 11, 2013.

Sincerely,

GRIFFIN, MURPHY,
MOLDENHAUER & WIGGINS, LLP

A handwritten signature in black ink, appearing to read 'M. H. Moldenhauer', is written over a horizontal line.

By: Meredith H Moldenhauer

EXHIBIT A

Profit Loss Analysis

BZA Case No 18562
Applicant 1538 New Jersey Avenue, LLC
Property 1538 New Jersey Avenue

Scenario 1 2 Units		Scenario 2 3 Units		Scenario 3: 5 Units		Scenario 4: 7 Units	
Purchase Price	\$ 399,900	Purchase Price	\$ 399,900	Purchase Price	\$ 399,900	Purchase Price	\$ 399,900
Closing Costs	\$ 23,046	Closing Costs	\$ 23,046	Closing Costs	\$ 23,046	Closing Costs	\$ 23,046
Hard Construction Costs	\$ 296,600	Project Cost for 3 Units	\$ 321,500	Project Cost for 5 Units	\$ 480,000	Project Cost for 7 Units	\$ 569,500
Soft Cost Estimate	\$ 97,000	Soft Cost Estimate	\$ 109,000	Soft Cost Estimate	\$ 135,000	Soft Cost Estimate	\$ 148,000
Total Project Cost	\$ 816,546	Total Project Cost	\$ 853,446	Total Project Cost	\$ 1,037,946	Total Project Cost	\$ 1,140,446
Debt	\$ 612,410	Debt	\$ 640,085	Debt	\$ 778,460	Debt	\$ 855,335
Equity	\$ 204,137	Equity	\$ 213,362	Equity	\$ 259,487	Equity	\$ 285,112
Gross Rent for 2 Units	\$ 48,000	Gross Rent for 3 Units	\$ 63,000	Gross Rent for 5 Units	\$ 105,000	Gross Rent for 7 Units	\$ 147,000
Total Gross Potential Rent	\$ 48,000	Total Gross Potential Rent	\$ 63,000	Total Gross Potential Rent	\$ 105,000	Total Gross Potential Rent	\$ 147,000
Vacancy / Collection at 5%	\$ 2,400	Vacancy / Collection at 5%	\$ 3,150	Vacancy / Collection at 5%	\$ 5,250	Vacancy / Collection at 5%	\$ 7,350
Net Rent	\$ 45,600	Net Rent	\$ 59,850	Net Rent	\$ 99,750	Net Rent	\$ 139,650
Taxes	\$ 6,941	Taxes	\$ 7,254	Taxes	\$ 8,823	Taxes	\$ 9,694
Insurance	\$ 3,000	Insurance	\$ 3,000	Insurance	\$ 3,500	Insurance	\$ 4,000
Common Utilities	\$ 5,000	Common Utilities	\$ 6,000	Common Utilities	\$ 7,000	Common Utilities	\$ 8,000
Trash	\$ 2,400	Trash	\$ 2,400	Trash	\$ 2,400	Trash	\$ 2,400
Management Fees at 5%	\$ 2,280	Management Fees at 5%	\$ 2,993	Management Fees at 5%	\$ 4,988	Management Fees at 5%	\$ 6,983
Repairs and Maintenance	\$ 1,500	Repairs and Maintenance	\$ 2,250	Repairs and Maintenance	\$ 3,750	Repairs and Maintenance	\$ 5,250
Total Expenses	\$ 21,121	Total Expenses	\$ 23,897	Total Expenses	\$ 30,460	Total Expenses	\$ 36,326
Operating Income	\$ 24,479	Operating Income	\$ 35,953	Operating Income	\$ 69,290	Operating Income	\$ 103,324
Debt Service	\$ 40,848	Debt Service	\$ 45,770	Debt Service	\$ 68,940	Debt Service	\$ 76,119
Cash Flow	\$ (16,368)	Cash Flow	\$ (9,817)	Cash Flow	\$ 350	Cash Flow	\$ 27,205
Cash Return on Equity	-8.02%	Cash Return on Equity	-4.60%	Cash Return on Equity	0.13%	Cash Return on Equity	9.54%

Construction Budget

BZA Case No 18562

Applicant 1538 New Jersey Avenue, LLC

Property 1538 New Jersey Avenue

Scenario 1: 2 Units		Scenario 2 3 Units		Scenario 3: 5 Units		Scenario 4: 7 Units	
General Conditions	\$ 10,600	General Conditions	\$ 10,600	General Conditions	\$ 16,000	General Conditions	\$ 16,000
Site Work	\$ 19,000	Site Work	\$ 19,000	Site Work	\$ 31,000	Site Work	\$ 31,000
Concrete and Foundations	\$ 10,000	Concrete and Foundations	\$ 10,000	Concrete and Foundations	\$ 17,000	Concrete and Foundations	\$ 17,000
Excavation	\$ -	Excavation	\$ -	Excavation	\$ 13,000	Excavation	\$ 13,000
Sprinkler System	\$ -	Sprinkler System	\$ -	Sprinkler System	\$ 10,000	Sprinkler System	\$ 12,000
Masonry	\$ 12,000	Masonry	\$ 12,000	Masonry	\$ 9,000	Masonry	\$ 12,000
Metals	\$ 9,000	Metals	\$ 10,000	Metals	\$ 9,000	Metals	\$ 11,000
Woods and Plastics	\$ 25,000	Woods and Plastics	\$ 29,000	Woods and Plastics	\$ 47,000	Woods and Plastics	\$ 53,000
Thermal and Moisture Protection	\$ 20,000	Thermal and Moisture Protection	\$ 20,000	Thermal and Moisture Protection	\$ 30,000	Thermal and Moisture Protection	\$ 30,000
Doors and Windows	\$ 9,000	Doors and Windows	\$ 10,900	Doors and Windows	\$ 25,000	Doors and Windows	\$ 29,000
Finishes	\$ 30,000	Finishes	\$ 32,000	Finishes	\$ 48,000	Finishes	\$ 65,000
Equipment	\$ 15,000	Equipment	\$ 19,000	Equipment	\$ 33,000	Equipment	\$ 45,000
Furnishings	\$ 25,000	Furnishings	\$ 29,000	Furnishings	\$ 40,000	Furnishings	\$ 52,500
Mechanical & Plumbing	\$ 60,000	Mechanical & Plumbing	\$ 65,000	Mechanical & Plumbing	\$ 82,000	Mechanical & Plumbing	\$ 98,000
Electrical	\$ 37,000	Electrical	\$ 39,000	Electrical	\$ 47,000	Electrical	\$ 57,000
Hard Cost Contingency	\$ 15,000	Hard Cost Contingency	\$ 16,000	Hard Cost Contingency	\$ 23,000	Hard Cost Contingency	\$ 28,000
Hard Costs	\$ 296,600	Hard Costs	\$ 321,500	Hard Costs	\$ 480,000	Hard Costs	\$ 569,500
Soft Costs	\$ 97,000	Soft Costs	\$ 109,000	Soft Costs	\$ 135,000	Soft Costs	\$ 148,000
Total Hard and Soft Costs	\$ 393,600	Total Hard and Soft Costs	\$ 430,500	Total Hard and Soft Costs	\$ 615,000	Total Hard and Soft Costs	\$ 717,500

EXHIBIT B

Residential Listings Summary Report



													DOMM/				
Status	ML#	Address	List Price	BR	FB	HB	Lvl	Fpl	Gar	Bsmt	Acres	Age	DOMP	Adv Sub	Style/Type	TLA	
Rented	DC7697388	247-251 Flonda Ave Nw #23, Wash	\$1,900	1	1	0	1	00	1	0	N	0 00	99	36/36	Eckington	Garden 1-4 F/Contempora	
Rented	DC7479186	1513 Marion St Nw #2, Washington	\$1,800	1	1	1	1	00	0	0	N	0 00	113	71/71	Old City #2	Attach/Row H/Federal	1,890
Rented	DC7864819	1721 New Jersey Ave Nw #English	\$1,450	1	1	0	1	00	0	0	Y	0 03	113	12/12	Shaw	Attach/Row H/Federal	1,518
Rented	DC7997419	1507 6Th St Nw, Washington	\$1,200	1	1	0	1	00	0	0	Y	0 01	123	19/19	Old City #2	Townhouse/Other	966

Courtesy of Mark Griffin
Home (202) 530-7157 Office (202) 939-0936
Cell Email mgriffin@washlaw.com
Company Mark G Griffin
Office Fax

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Information is believed to be accurate, but should not be relied upon without verification
Accuracy of square footage, lot size and other information is not guaranteed



Residential Gallery - Customer



© Copyright 2013 MRIS, Inc.

247-251 FLORIDA AVE NW #23, WASHINGTON, DC 20001-1801			MLS#: DC7697388
List Price: \$1,900	Own: Condo, Rental	Total Taxes:	Status: RENTED
Cont Date: 04-Nov-2011	Close Date: 07-Nov-2011	Close Price: \$1,900	Avail: 10/1/2011
Adv. Sub: ECKINGTON		ADC Map: 0000	HOA: C/C:250.00
Type: Garden 1-4 Floors	Style: Contemporary	Acre:	Tax Living Area:
Model: THE LEDROIT	#Lvs: 1 #Fpls: 1	Yr Blt: 1914	
BR: 1 FB: 1 HB: 0	Basement: No		
Heat/Cool/Wtr/Swr: Forced Air/Natural Gas/Central A/C/Electric/Public/Public Sewer			
Park: Street	# Gar/Cpt/Assgn: / /		
Const: Brick			
Water Front/View/Access: //	Dock Conveys:	Vacation: No	
Listing Co: Century 21 Redwood Realty	List. Date: 26-Sep-2011	DOMM/DOMP: 36/36	

Internet Remarks: Terrific 1BR condo in Ledroit Park! Fully renovated w/granite countertops, hardwood floors, stainless steel appliances. Open floor plan and private balcony. Shared rooftop patio with firepit and great views. Can be rented furnished OR unfurnished.

Directions: just past the intersection of Rhode Island and Florida Aves



1513 MARION ST NW #2, WASHINGTON, DC 20001-3415			MLS#: DC7479186
List Price: \$1,800	Own: Rental Apartment, R	Total Taxes:	Status: RENTED
Cont Date: 22-Jan-2011	Close Date: 21-Jan-2011	Close Price: \$1,800	Avail: 11/23/2010
Adv. Sub: OLD CITY #2		ADC Map: ?	HOA: C/C:0.00
Type: Attach/Row Hse	Style: Federal	Acre:	Tax Living Area: 1,890
Model:	#Lvs: 1 #Fpls: 0	Yr Blt: 1900	
BR: 1 FB: 1 HB: 1	Basement: No		
Heat/Cool/Wtr/Swr: Wall Unit/Electric/Wall Unit/Electric/Public/Public Septic, Public Sewer			
Park: Assigned, Unpaved	# Gar/Cpt/Assgn: / /		
Const: Brick and Siding			
Water Front/View/Access: //	Dock Conveys:	Vacation: No	
Listing Co: Long & Foster Real Estate, Inc.	List. Date: 12-Nov-2010	DOMM/DOMP: 71/71	

Internet Remarks: 1 BR & Den 1.5 Bath, Gallery Kitchen with SS appliances, Hardwood floor entire flooring, recess lighting, Washer & Dryer, Balcony. The unit convey with parking, Landlord will install access to back yard after ratified lease. Great location near metro and one of the desirable area in downtown DC.

Directions: From Q ST Turn Right on Marion and check the #1513



1721 NEW JERSEY AVE NW #ENGLISH BASEMENT, WASHINGTON, DC			MLS#: DC7864819
List Price: \$1,450	Own: Fee Simple, Rental	Total Taxes:	Status: RENTED
Cont Date: 28-Jun-2012	Close Date: 29-Jun-2012	Close Price: \$1,300	Avail: 6/18/2012
Adv. Sub: SHAW		ADC Map: X&X&X	HOA: C/C:
Type: Attach/Row Hse	Style: Federal	Acre: 0.03	Tax Living Area: 1,518
Model: ENGLISH BASEM	#Lvs: 1 #Fpls: 0	Yr Blt: 1900	
BR: 1 FB: 1 HB: 0	Basement: Yes, Walkout Level		
Heat/Cool/Wtr/Swr: Forced Air, Heat Pump(s)/Electric/Central A/C/Electric/Public/Public Sew			
Park: Street	# Gar/Cpt/Assgn: / /		
Const: Brick			
Water Front/View/Access: //	Dock Conveys:	Vacation: No	
Listing Co: AGS Realty, Inc.	List. Date: 14-Jun-2012	DOMM/DOMP: 12/12	

Internet Remarks: Open Sat, 6/16 from 11AM to 12:30. *** Very Nice, Recently Renovated & Spacious One Bedroom English Basement Apartment. Enjoy Your Own Washer/Dryer, Private Front and Back Entrances, and a Location Offering City Living with Metro, The Delights of U Street, Restaurants, Groceries and More just a Few Blocks Away!!!!

Directions: Out Rhode Island Ave, Right on New Jersey to 1721.



1507 6TH ST NW, WASHINGTON, DC 20001-2420			MLS#: DC7997419
List Price: \$1,200	Own: Fee Simple, Rental	Total Taxes:	Status: RENTED
Cont Date: 12-Feb-2013	Close Date: 12-Feb-2013	Close Price: \$1,200	Avail: 1/24/2013
Adv. Sub: OLD CITY #2		ADC Map: 00000	HOA: C/C:
Type: Townhouse	Style: Other	Acre: 0.01	Tax Living Area: 966
Model:	#Lvs: 1 #Fpls: 0	Yr Blt: 1890	
BR: 1 FB: 1 HB: 0	Basement: Yes, Fully Finished, Outside Entrance		
Heat/Cool/Wtr/Swr: Forced Air/Natural Gas/Central A/C/Electric/Public/Public Sewer			
Park: Street	# Gar/Cpt/Assgn: / /		
Const: Brick Front			
Water Front/View/Access: //	Dock Conveys:	Vacation: No	
Listing Co: United Realty, Inc.	List. Date: 24-Jan-2013	DOMM/DOMP: 19/19	

Internet Remarks: This is for lower level rental only. great location. walk to two metros. 2 level row house, 2 bedroom, Totally refurbished/remodeled in 2006. Great condition.

Directions: Take 6th St, NW. North or South to 1507.

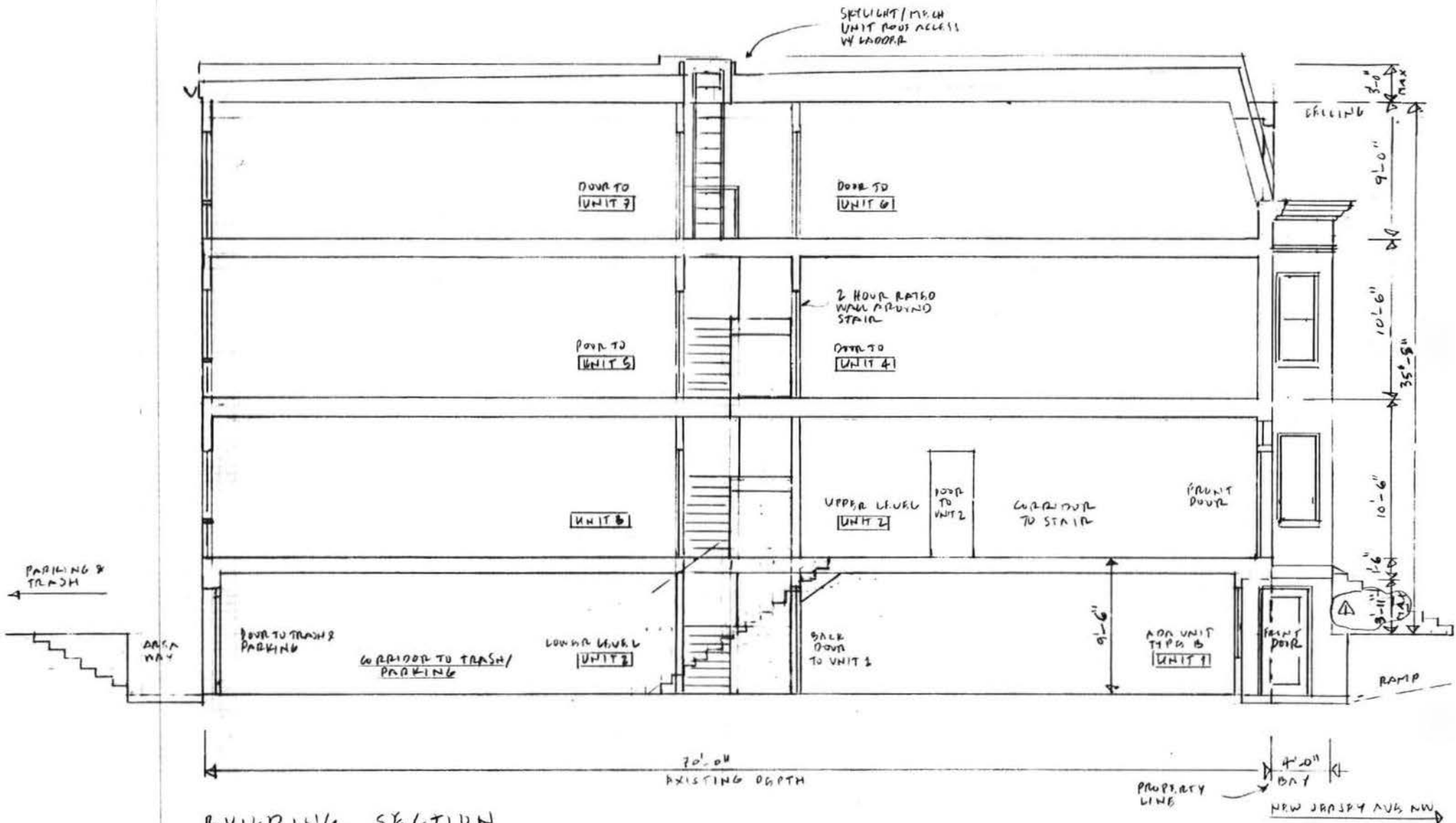


EXHIBIT C



1 1538 NEW JERSEY AVE NW ELEVATION 2
SCALE: 3/16" = 1'-0"

HUGO ROELU
5-20-13



BUILDING SECTION
SCALE: 1/8" = 1'-0"

1530 NEW JERSEY AVENUE NW
HUGH RIEHL ©

1-30-13
3-1-13
5-20-13

EXHIBIT D

BEFORE THE ZONING COMMISSION AND
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

FORM 129 – ADVISORY NEIGHBORHOOD COMMISSION (ANC) REPORT

Before completing this form, please review the instructions on the reverse side.

Pursuant to §§ 3012.5 and 3115.1 of Title 11 DCMR Zoning Regulations, the written report of the Advisory Neighborhood Commission (ANC) shall contain the following information:

IDENTIFICATION OF APPEAL, PETITION, OR APPLICATION:

Case No.:	18562	Case Name:	1538 New Jersey Avenue, LLC
Address or Square/Lot(s) of Property:	0510 0053		
Relief Requested:	Variance		

ANC MEETING INFORMATION

Date of ANC Public Meeting:	01	/	0	5	/	1	3	Was proper notice given?:	Yes	☒	No	☐
Description of how notice was given:	Listservs, ANC Newsletter, Twitter, Facebook, ANC website											
Number of members that constitutes a quorum:	4				Number of members present at the meeting:	7						

MATERIAL SUBSTANCE

The issues and concerns of the ANC about the appeal, petition, or application as related to the standards of the Zoning Regulations against which the appeal, petition, or application must be judged (*a separate sheet of paper may be used*):

ANC 6E supports the request for variance from the lot area requirements to allow the conversion of a church into a seven (7) unit apartment house under subsection 401.3, in the R-4 District at premises 1538 New Jersey Avenue, N.W. (Square 510, lot 53) provided that the property to have two parking spaces.

The recommendation, if any, of the ANC as to the disposition of the appeal, petition, or application (*a separate sheet of paper may be used*):

AUTHORIZATION

ANC	6	E	Recorded vote on the motion to adopt the report (I.e. 4-1-1):	7-0-0
Name of the person authorized by the ANC to present the report:			Rachelle Nigro	
Name of the Chairperson or Vice-Chairperson authorized to sign the report:			Rachelle Nigro	
Signature of Chairperson/ Vice-Chairperson:			Date:	5-10-13

ANY APPLICATION THAT IS FOUND TO BE INCOMPLETE MAY NOT BE ACCORDED "GREAT WEIGHT" PURSUANT TO
11 DCMR §§ 3012 AND 3115.

EXHIBIT E

Date: 4/25/13

Board of Zoning Adjustment
441 4th Street N.W.
Suite 210S
Washington, DC 20001

Re: Letter in Support of BZA Application No. 18562 – 1538 New Jersey Ave., NW

Dear Members of the Board:

I am writing to express my support for the application for zoning relief at 1538 New Jersey Avenue NW submitted by 1538 New Jersey Avenue, LLC (the "Applicant") to allow conversion of a church and residential unit to a multiunit apartment building. I urge the Board to approve the application as proposed.

The plans for the Applicant's proposed project have been explained to me. The proposed project will not have a substantially adverse effect on the use or enjoyment of our nearby home. Nor will it affect our light, air, or privacy. The project is comparable to other projects in our immediate vicinity, and will not visually intrude upon the character, scale, or pattern of the houses in our neighborhood.

Thank you for the opportunity to provide feedback.

Sincerely,

June M. Millikan (Signature)

Name:

June Millikan

Address:

4001 Frankl. St. NW
WASH DC 20001

Date: 4/23/13

Board of Zoning Adjustment
441 4th Street N.W.
Suite 210S
Washington, DC 20001

Re: Letter in Support of BZA Application No. 18562 - 1538 New Jersey Ave., NW

Dear Members of the Board:

I am writing to express my support for the application for zoning relief at 1538 New Jersey Avenue NW submitted by 1538 New Jersey Avenue, LLC (the "Applicant") to allow conversion of a church and residential unit to a multiunit apartment building. I urge the Board to approve the application as proposed.

The plans for the Applicant's proposed project have been explained to me. The proposed project will not have a substantially adverse effect on the use or enjoyment of our nearby home. Nor will it affect our light, air, or privacy. The project is comparable to other projects in our immediate vicinity, and will not visually intrude upon the character, scale, or pattern of the houses in our neighborhood.

Thank you for the opportunity to provide feedback.

Sincerely,

 (Signature)

Name: Tony Watkins

Address: 1536 New Jersey Ave NW
WDC 20001

Date: 23/4/2013

Board of Zoning Adjustment
441 4th Street N.W.
Suite 210S
Washington, DC 20001

Re: Letter in Support of BZA Application No. 18562 – 1538 New Jersey Ave., NW

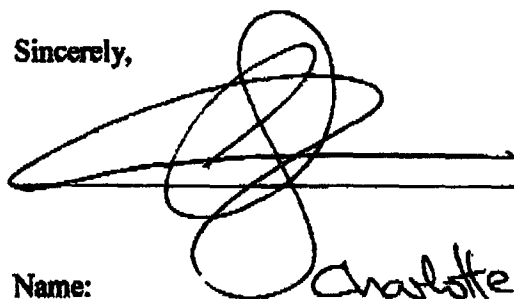
Dear Members of the Board:

I am writing to express my support for the application for zoning relief at 1538 New Jersey Avenue NW submitted by 1538 New Jersey Avenue, LLC (the "Applicant") to allow conversion of a church and residential unit to a multiunit apartment building. I urge the Board to approve the application as proposed.

The plans for the Applicant's proposed project have been explained to me. The proposed project will not have a substantially adverse effect on the use or enjoyment of our nearby home. Nor will it affect our light, air, or privacy. The project is comparable to other projects in our immediate vicinity, and will not visually intrude upon the character, scale, or pattern of the houses in our neighborhood.

Thank you for the opportunity to provide feedback.

Sincerely,

 (Signature)

Name:

Charlotte Dokerz

Address:

418 Q St NW
Washington, DC 20001

