



GREENSTEIN DELORME & LUCHS, P.C.

1620 L STREET, N.W., SUITE 900
WASHINGTON, D.C. 20036-5605
tel (202) 452-1400 fax (202) 452-1410

www.gdlaw.com

June 20, 2013

BY HAND DELIVERY

Lloyd J. Jordan, Esquire
Chairperson
D.C. Board of Zoning Adjustment
441 Fourth Street, N.W.
Suite 210
Washington, D.C. 20001

RECEIVED
D.C. OFFICE OF ZONING
2013 JUN 24 AM 10:37

**Re: Amended BZA Application No. 18586 (Expedited Review)
of Mary G. McGrath
4351 Klinge Street, N.W.
Square 1625, Lot 802 ("Property")**

Dear Chairperson Jordan and Members of the Board:

The Applicant, Ms. Mary G. McGrath, by and through undersigned counsel, respectfully requests the Board at the scheduled June 25, 2013 Public Meeting to: 1) proceed with expedited review and approval of the requested side yard relief (§405.8); and 2) defer action and schedule a Public Hearing on the portion of the amended Application related to the requested special exception relief from the front yard setback under the Wesley Heights Overlay District ("WHOD") (§1543.4).

Side Yard Relief:

The requested side yard relief is universally supported, including by: 1) the two most immediately affected side yard neighbors (Mr. and Mrs. Ritchie at 4355 Klinge Street (Exhibit 8) and Ms. Seekamp and Mr. Minichiello at 3109 44th Street (Exhibit 26)); 2) the Office of Planning (Exhibit 32); 3) Advisory Neighborhood Commission 3D (Exhibit 31); and 4) DC Department of Transportation (Exhibit 25). There is no opposition to the requested side yard relief. Expedited review and approval is both appropriate and fully supported and will allow the Applicant to immediately complete work on the partially constructed rear and side yard addition to her single-family dwelling.

7103/1/473237/1/

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18586
EXHIBIT NO. 35



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Front Yard Relief:

On June 3, 2013, the Applicant amended this Application to include relief from the WHOD front yard setback for the partially constructed one-story front screened porch. A building permit was issued in March 2013 for the Applicant's project, including the front porch. However, the Zoning Administrator subsequently determined that his office erred in approving the front porch and that the requested front yard relief was required.

The Office of Planning and Advisory Neighborhood Commission 3D both support the Amended Application, including the requested front yard relief (Exhibits 32 and 31). However, two neighboring property owners, Mr. Angel F. Clarens at 4320 Klinge Street and Mr. Andrew Heimert at 4326 Klinge Street have filed Requests for Party Status, specifically in opposition to the proposed front porch (Exhibits 28 and 29). Neither Messrs. Clarens nor Mr. Heimert oppose the requested side yard relief nor desire to delay approval and completion of that work.

The Applicant directly, and through counsel, is communicating with Messrs. Clarens and Heimert to address their concerns with the proposed front porch and explore mutually agreeable options. Despite the parties ongoing good faith efforts to reach a resolution, this process cannot reasonably and thoughtfully be completed prior to the Board's June 25, 2013 Public Meeting. The parties agree that a better course of action would be to allow the scheduled expedited review and approval of the side yard relief and defer Board action of the front yard relief until a later date after the Board's August recess.

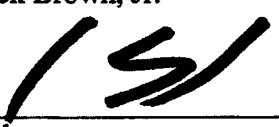
Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

GREENSTEIN DELORME & LUCHS, P.C.

By: 

John Patrick Brown, Jr.

By: 

Kate M. Olson



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**CONSENT TO EXPEDITED APPROVAL OF
SIDE YARD RELIEF AND DEFERRAL OF
BOARD ACTION ON FRONT YARD RELIEF**

By: _____
Angel F. Clarens (Date)

By: _____
Andrew Heimert (Date)

Enclosures

cc: Electronically

Ms. Mary G. McGrath
Alicia and Daniel G. Ritchie
Ms. Lynne Seekamp and Mr. Lee Minichiello
Mr. Angel F. Clarens
Mr. Andrew Heimert
Mr. Matthew LeGrant, Zoning Administrator
Ms. Jennifer Steingasser, Office of Planning
Mr. Joel Lawson, Office of Planning
Ms. Brandice Elliott, Office of Planning
Penny Pagano, Chair, ANC 3D
Gayle Trotter, Vice Chair, ANC 3D
Kent Slowinski, ANC 3D01
Thomas Smith, ANC 3D02
Nan Wells, ANC 3D03
Stuart Ross, ANC 3D04
W. Philip Thomas, ANC 3D05
Rory Slatko, ANC 3D07
Michael Gold, ANC 3D08
Joe Wisniewski, ANC 3D10
Mr. George Watson

ATTN: KATE OLSON



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**CONSENT TO EXPEDITED APPROVAL OF
SIDE YARD RELIEF AND DEFERRAL OF
BOARD ACTION ON FRONT YARD RELIEF**

By:


Angel F. Clarens

6/21/13
(Date)

By:

Andrew Heimert

(Date)

Enclosures

cc: Electronically

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Ms. Lynne Seekamp and Mr. Lee Minichiello
Mr. Angel F. Clarens
Mr. Andrew Heimert
Mr. Matthew LeGrant, Zoning Administrator
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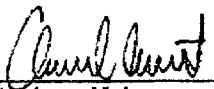
June 20, 2013

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**CONSENT TO EXPEDITED APPROVAL OF
SIDE YARD RELIEF AND DEFERRAL OF
BOARD ACTION ON FRONT YARD RELIEF**

By

Angel F. Clarens (Date)

By.  6/24/13 (Date)
Andrew Heimert

Enclosures

cc Electronically

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