

Varga, Stephen F. (DCOZ)

From: Goldstein, Paul (OP)
Sent: Wednesday, December 18, 2013 3:38 PM
To: Varga, Stephen F. (DCOZ)
Subject: Fwd: Zoning Question

Begin forwarded message:

From: "Goldstein, Paul (OP)" <Paul.Goldstein@dc.gov>
Date: December 18, 2013, 1:12:39 PM EST
To: "Goldstein, Paul (OP)" <Paul.Goldstein@dc.gov>
Subject: Fwd: Zoning Question

Begin forwarded message:

From: "LeGrant, Matt (DCRA)" <matthew.legrant@dc.gov>
Date: December 5, 2013, 3:56:51 PM EST
To: "Goldstein, Paul (OP)" <Paul.Goldstein@dc.gov>
Cc: "Beeton, Kathleen A. (DCRA)" <kathleen.beeton@dc.gov>, "Lawson, Joel (OP)" <joel.lawson@dc.gov>, "Mordfin, Stephen (OP)" <stephen.mordfin@dc.gov>
Subject: RE: Zoning Question

Paul – I agree that when separated by an alley that the subject property is not abutting a property across from said alley; instead it is confronting the other property, and therefore Section 735.2 does not apply.

Best Regards,

Matthew Le Grant

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Dept of Consumer and Regulatory Affairs
Government of the District of Columbia
1100 4th St SW - Room 3100
Washington, DC 20024
Phone: 202 442-4652
Email: matt.legrant@dc.gov
Web: <http://dcra.dc.gov/service/zoning-dcra>

DEC 18

BOARD OF ZONING ADJUSTMENT
District of Columbia
Board of Zoning Adjustment
District of Columbia
CASE NO. 18669
EXHIBIT NO. 35
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Look out for those in need this winter. When the temperature or wind chill is 32°F or below, the District issues a Hypothermia Alert. For assistance during an Alert, call the Shelter Hotline at 1-800-535-7252 or 311.

From: Goldstein, Paul (OP)
Sent: Thursday, December 05, 2013 2:59 PM
To: LeGrant, Matt (DCRA)
Subject: Zoning Question

Hi Matt,

I hope that you are doing well. I wanted to ask you a brief interpretation question about an issue which has apparently become a point of contention in an upcoming BZA case.

Section 735 (animal boarding) provides:

§ 735.2 The animal boarding use shall not abut a Residence Zone.

The proposed animal boarding use will be located in a commercial zone and separated by a 16 foot wide public alley from a residential zone. It is my understanding in talking with Steve Mordfin (the author of the regulation) that because there is an intervening public alley, the rule's intent was that the animal boarding use would not be considered as abutting a residence zone, and therefore satisfy § 735.2. Steve mentioned that the alley is not zoned and is therefore an intervening buffer between the commercial and residential zone. I wanted to make sure that you all have a similar interpretation in case this issue is raised by the Board.

Thank you.

Paul W Goldstein

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