



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.:                             | 18843                                                                                                                          | Case Name: | Christopher Pashby |
| Address or Square/Lot(s) of Property: | 5526 39th Street, NW square 1747, lot 37                                                                                       |            |                    |
| Relief Requested:                     | special exception to permit an addition to a one family dwelling in and R-2 district not meeting rear yard requirements 405.9. |            |                    |

ANC MEETING INFORMATION

|                                      |                                                       |   |   |   |   |   |   |   |                           |     |                                     |    |                          |
|--------------------------------------|-------------------------------------------------------|---|---|---|---|---|---|---|---------------------------|-----|-------------------------------------|----|--------------------------|
| Date of ANC Public Meeting:          | 2                                                     | 2 | / | 0 | 9 | / | 1 | 4 | Was proper notice given?: | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| Description of how notice was given: | ANC website, Current Newspaper, Chevy Chase listserv. |   |   |   |   |   |   |   |                           |     |                                     |    |                          |

|                                              |   |                                           |   |
|----------------------------------------------|---|-------------------------------------------|---|
| 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*):

The next door neighbor expressed concern regarding his property view and the matter-of-right deck. There were no concerns regarding the special exception for the addition to the dwelling.

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*):

See attached extract from the September 22 ANC3/4G public meeting.

2014 SEP 22 PM 2:26  
U.C. OFFICE OF ZONING  
RECEIVED

AUTHORIZATION

|                                                                            |   |   |                                                               |           |
|----------------------------------------------------------------------------|---|---|---------------------------------------------------------------|-----------|
| ANC                                                                        | 3 | G | Recorded vote on the motion to adopt the report (i.e. 4-1-1): | 7 - 0     |
| Name of the person authorized by the ANC to present the report:            |   |   | Jim McCarthy                                                  |           |
| Name of the Chairperson or Vice-Chairperson authorized to sign the report: |   |   | Jim McCarthy                                                  |           |
| Signature of Chairperson/<br>Vice-Chairperson:                             |   |   | Date:                                                         | 9/24/2014 |

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

Board of Zoning Adjustment  
District of Columbia  
CASE NO. 18843  
EXHIBIT NO. 33

## Extract from the minutes of ANC3/4G September 22, 2014 public meeting

**“BZA Application 18843, 5526 39<sup>th</sup> Street, NW.** The applicant’s attorney, Patrick Cooke, discussed the request for a special exception for a non-confirming addition to the home and noted that the application is on an expedited review calendar for consideration on October 7, 2014. The application is for a special exception for an addition to a one family dwelling in an R-2 district not meeting side yard requirements requesting an exemption to zoning requirement 405.9. Next door neighbor Peter Kolker (5528 39<sup>th</sup> Street) and the homeowner discussed Mr. Kolker’s concern over the lack of screening to protect his property view. The two parties had met over the prior weekend to discuss solutions. Mr. Kolker requests a clear, written agreement that provides for screening of appropriate height, location and length. Mr. Kolker was requesting to become a party to the BZA hearing and would withdraw his request for party status if an agreement is reached, thus allowing the possible expedited BZA board review. Chair McCarthy moved to support the special exception provided the applicant reaches a reasonable agreement with his neighbor, Peter Kolker, regarding adequate vegetative screening between their two properties at least one week prior to the October 7 expedited BZA review. Chair McCarthy will represent the ANC in the matter. The motion was agreed to by a vote of 7 – 0.”