



District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



February 25, 2015

Mr. Clifford Moy
Secretary of the Board of Zoning Adjustment
Board of Zoning Adjustment
441 4th St. NW, Suite 210
Washington, DC 20001

Re: BZA Case No. 18940 (1371 H Street, NE)

Dear Mr. Moy,

At a regularly scheduled and properly noticed meeting on February 12, 2015,¹ our Commission voted 7-1 (with 5 Commissioners required for a quorum) to support, under certain conditions discussed below, the Applicant's request for a variance from the off-street parking requirements set forth at § 2101.1, and for a special exception from the roof structure setback requirements of §§ 411.11 and 770.6. The applicant seeks the requested relief to permit the construction of a six-story multi-family residential building with ground floor retail in the C-3-A/HS-A District.

The Commission supports granting the requested variance from the off-street parking requirements because strict application of the above-referenced zoning requirements would result in peculiar and exceptional practical difficulties and hardship to the applicant and because granting the requested relief will not result in substantial detriment to the public good or substantially impair the intent, purpose, and integrity of the zoning plan. However, the Commission supports granting of the off-street parking variance only on the condition that: 1) covenants be recorded in the land records for each unit prohibiting the owner or resident of the unit from obtaining a residential parking permit; 2) the bylaws for the building prohibit any owner or resident of a unit from obtaining a residential parking permit, require a regular review as to whether this bylaw provision has been violated, and provide an enforcement mechanism in the event that it has been violated; and 3) a covenant be recorded in the land records that provides that this by-law provision may not be amended or removed. In addition, the Commission further conditions its support on the applicant including in the bylaws for the building a provision requiring that: 1) the condominium association contract for trash removal to occur every weekday during daytime hours with trash hauled from the building to a truck waiting in Linden Court; and 2) the condominium association be responsible for remediating any trash spillage that occurs in public space during the regular removal of trash from the building.

The Commission supports granting the requested special exception because the proposed roof structure will not unduly affect the light and air available to neighboring properties nor will it unduly compromise their privacy of use and enjoyment. The neighboring property at 1350 Maryland Ave., N.E. has indicated in writing that it supports the requested special exception.

Finally, the Commission further conditions its support for the entirety of the relief requested on the applicant's adherence both to the delivery and move-in plan provided to the Commission by the applicant and to the H Street Design Guidelines as reflected in the applicant's revised February 2015 drawings for the building.

Board of Zoning Adjustment

District of Columbia

1 ANC 6A meetings are advertised electronically on the anc6a-announce@googlegroups.com, ANC 6A
and NewHillEast yahoogroups, on the Commission's website, and through print advertisements in the Hill Rag.



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Please be advised that Andrew Hysell and I are authorized to act on behalf of ANC 6A for the purposes of this case. I can be contacted at PhilANC6A@gmail.com and Mr. Hysell can be contacted at Hysell6A06@gmail.com.

On Behalf of the Commission,

Phil Toomajian,
Chair, Advisory Neighborhood Commission 6A