



Government of the District of Columbia

Advisory Neighborhood Commission 6C

Karen Wirt, 6C02 commissioner

September 21, 2015

Mr. Lloyd Jordan, Chairman
D.C. Office of Zoning
Board of Zoning Adjustments
441 Fourth Street N.W. Suite 200 S
Washington, D.C. 20001

Re: 400 K Street N.E., BZA # 18979, supplemental submissions by the applicant

Dear Mr. Jordan:

The ANC 6C letter to the Board of Zoning Adjustments of April 2015 (attached) clearly stated the 6C commissioners' expectation that the applicant would return to 6C timely regarding the community concerns about this project.

Despite months of delay—resulting from two separate requests by the applicant to postpone the hearing—the applicant has failed to provide ANC 6C with any revised or supplemental information until now, in what appears to be an obvious effort to avoid 6C input until after our monthly meeting on September 10, 2015. ANC 6C has been checking the IZIZ website regularly and nothing new was filed until the new documents appeared on September 16, 2015.

The statement in the applicant's motion to waive the timing requirement for these pre-hearing filings (14 days prior), that the ANC is not prejudiced by the late filing, is therefore manifestly false. The motion therefore should be denied.

The hearing on this matter is Tuesday, September 22, and a representative of ANC 6C, Commissioner Mark Eckenwiler, will try to attend provided you can provide the approximate time frame when this case will be heard. We will be contacting your office on Monday to determine the timing.

Thank you for giving great weight to the recommendations of ANC 6C.

On behalf of ANC 6C06,

Karen Wirt
ANC 6C chair and
6C02 commissioner

Attachment: April ANC 6C letter

Tony Goodman
ANC 6C06 commissioner

Please reply to ANC 6C at P.O. Box 77876, Washington, D.C. 20013, (202) 547-7168

Board of Zoning Adjustment
District of Columbia
CASE NO. 18979
EXHIBIT NO. 51



Government of the District of Columbia

Advisory Neighborhood Commission 6C

April 13, 2015

Mr. Lloyd Jordan, Chairman
Board of Zoning Adjustments
441 Fourth Street N.W., Suite 200 S
Washington, D.C. 20001

Re: 400 K Street NE, BZA 18979, Application for a variance from the nonconforming structure requirements to allow a substantially completed two-story carriage house to be adaptively restored as an artist's studio in the R-4 district

Dear Mr. Jordan:

On April 8, 2015, at a duly noticed, regularly scheduled monthly meeting of ANC 6C, with a quorum of 6 out of 6 commissioners and the public present, the above-mentioned matter came before us.

The commissioners understand that the applicant originally received a building permit to construct a third-story addition on top of an existing row house. Because the property's lot occupancy already exceeded 60 percent, DCRA conditioned issuance of the permit on the applicant's removal of the roof of the existing two-story carriage house. Instead of complying with the permit, the applicant constructed the planned third story on the main building and renovated the carriage house, adding a kitchen and bath. The applicant sought to excuse this by blaming bad advice received from his architect.

An "artist studio," as defined in 11 DCMR 199.1, is a place of work of one or more persons who are engaged actively, and either gainfully or as a vocation in the fine arts, the performing or visual arts, ceramics, or the composition of music. It appears the applicant constructed not such a workspace but rather an illegal third dwelling unit. The applicant also includes in the plat a parking pad in a section of public space on 4th Street that the applicant illegally paved with concrete.

The commissioners voted unanimously, 6:0:0, to oppose the application as currently presented, but we look forward to working with the applicant if/when a revised application is submitted (for example, removing the kitchen so it is not a dwelling and eliminating the parking pad in public space).

On behalf of ANC 6C,


Karen Wirt
ANC 6C chair