



ADVISORY NEIGHBORHOOD COMMISSION 4C

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March 11, 2015

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Government of the District of Columbia
DC Office of Zoning
Board of Zoning Adjustment
441-4th Street, NW Suite 2005
Washington, DC 20001

**RE: BZA Case #18991
Appeal DCRA Building Permit #B1503050**

Dear BZA Board Members:

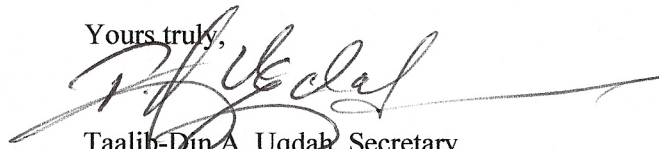
On the authority of Advisory Neighborhood Commission 4C (ANC 4C), I have attached a 2-page, **RESOLUTION, REPORT, AND AUTHORIZATION OF ADVISORY NEIGHBORHOOD COMMISSION 4C FOR MR. JOHN STOKES, AS APPELLANT BEFORE THE BOARD OF ZONING ADJUSTMENT IN THE ISSUANCE BY DCRA OF BUILDING PERMIT #B1503050, BZA Case #18991 – IN THE MATTER OF 1521 VARNUM STREET, NW; WASHINGTON, DC 20011** (Resolution) dated March 11, 2015 and signed by our Chairman, Commissioner Vann-Di M. Galloway, supporting our report, appeal and representation by SMD 4C03 resident, Mr. John Stokes, 1519-Varnum Street, NW; Washington, DC 20011.

For the reasons articulated in that Resolution and Report, (all articulated on Page 2 of that specific document), we are recommending to the BZA to take a closer look at our concerns and accordingly, give them the great weight – guaranteed meaningful consideration – they are due.

Procedurally, for this Resolution and Report to be perfected, ANC 4C must establish a quorum for any official business, authorized under DCMR for any ANC, which requires that our meeting: (1) Be properly noticed; (2) Be held in a public forum; and (3) Include the presence of at least six (6) Single Member District Commissioners (SMD) in order to constitute that quorum.

At a properly noticed, March 11, 2015 ANC 4C public meeting, a majority of those duly named, elected and sworn-in ANC 4C Commissioners, with that quorum being present, upon considering a motion of the foregoing appeal report for 1521 Varnum Street, NW, associated with Permit #B1503050 / BZA Case #18991 – concluded by a vote of ten (10) yeas and zero (0) nays – to accept the report, to support the appeal of Mr. John Stokes, and in a separate second motion, at the same duly noticed and authorized meeting, to have Mr. John Stokes be the person named and authorized by the ANC to present its report before the BZA; concluded by a vote of nine (9) yeas and one (1) nay to have Mr. Stokes affect such representation;

Yours truly,



Taalib-Din A. Uqdah, Secretary
ANC 4C

801 Shepherd Street, NW Board of Zoning Adjustment
Washington, DC 20011 District of Columbia

CASE NO.18991
EXHIBIT NO.18



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RESOLUTION, REPORT, AND AUTHORIZATION OF

ADVISORY NEIGHBORHOOD COMMISSION 4C

FOR

MR. JOHN STOKES, AS APPELLANT

BEFORE THE BOARD OF ZONING ADJUSTMENT IN THE ISSUANCE BY DCRA OF BUILDING PERMIT #B1503050 – IN THE MATTER OF 1521 VARNUM STREET, NW; WASHINGTON, DC 20011 BZA Case #18991

MARCH 11, 2015

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WHEREAS, pursuant to applicable District laws, each Advisory Neighborhood Commission (“Commission”) may advise the Council of the District of Columbia, the Mayor and each executive agency, and all independent agencies, boards and commissions of the government of the District of Columbia – including the Board of Zoning Adjustment (BZA) – with respect to all proposed matters of District government policy including, but not limited to, decisions regarding planning, streets, recreation, social services programs, education, health, safety, budget, and sanitation which affect that Commission area [D.C. Official Code §§ 1-309.10(a)];

WHEREAS, proposed District government actions include actions of the Council of the District of Columbia, the executive branch, or independent agencies, boards, and commissions. In addition to those notices required in D.C. Official Code §§ 1-309.10(a), each agency board and commission shall, before the award of any grant funds to a citizen organization or group, before the transmission to the Council of a proposed revenue bond issuance, or before the formulation of any final policy decision or guideline with respect to grant applications, comprehensive plans, requested or proposed zoning changes, variances, public improvements, licenses, or permits affecting said Commission area, the District budget and city goals and priorities, proposed changes in District government service delivery, and the opening of any proposed facility systems, provide to each affected Commission notice of the proposed action as required by D.C. Official Code §§ 1-309.10(b);

WHEREAS, the issues and concerns raised in the recommendations of the Commission shall be given great weight during deliberations by government entities, and great weight requires acknowledgement of the Commission as the source of the recommendations and explicit reference to each of the Commission’s issues and concerns [D.C. Official Code §§ 1-309.10(c)(3)(A)];

WHEREAS, the Commissions are the bodies of government with the closest ties to the people and they are expected to advise the city on issues, including fees, taxes, zoning, social services programs, health, emergency preparedness, economic development, transportation and infrastructure issues;

WHEREAS, On December 31, 2014, the Department of Consumer and Regulatory Affairs, (DCRA), issued a building permit – Permit #B1503050 – to 1521 Varnum Street, NW; converting the existing single-family home structure to a wholly new additional apartment building, with balconies, double roof-top decks, added onto the converted structure, allowing for the construction of a four story, seven unit, two bedroom, den, with closet, and 2.5 baths per unit – equaling 21 toilets, 28 sinks, and 14 baths – with a rear parking lot for at least four cars;

WHEREAS, §§330.1 thru §§330.3 under Title 11 of the DC Municipal Regulations (DCMR) – R-4 Districts: General Provisions – §330.1: "... is designed to include those areas now developed primarily with row dwellings, but within which there have been a substantial number of conversions of the dwellings into dwellings for two (2) or more families;" §330.2 notes, "... its primary purpose shall be the stabilization of remaining one-family dwellings;" and §330.3 states, "... the R-4 District shall not be an apartment house district as contemplated under the General Residence (R-5) Districts, since the conversion of existing structures shall be controlled by a minimum lot area per family requirement."

WHEREAS, Mr. John Stokes, owner and resident of 1519 Varnum Street, NW, located in ANC 4C (SMD 4C03) presented before the Commission, a narrative of his community – 16th Street Heights – noting specifically that properties in the immediate vicinity of the subject property are small lots with improved two-story one-family attached dwellings; noting a consistent design and size to each of the houses that fit in with the character of the neighborhood; offering a description of his immediate community as being a quiet, established residential row house neighborhood with mature trees, well maintained front and back yards and quiet neighbors who have lived in the neighborhood for many years;

WHEREAS, Mr. Stokes requested of the Commission to support his appeal – BZA Case #18991 – and further requested the Commission intervene, on his behalf, seeking waiver of the \$1,000 or more, required to appeal DCRA's issuance of Building Permit #B1503050;

WHEREAS, DC Zoning Regulations offer waiver of appeals to residents – BZA Case #18991 – requesting of the BZA to review the final decision by DCRA, to approve sign and issue building permits, in this matter Permit #B1503050;

WHEREAS, DC Zoning Regulations offer waiver rights to ANC's, DC Government Agencies, National Capital Planning Commission and not for profit Citizens' Associations, in requesting the BZA to review the final decision by DCRA to approve, sign and issue building permits, in this case Permit #B1503050, associated with BZA Case #18991; and

WHEREAS, procedurally, for this Resolution to be perfected, ANC 4C must establish a quorum for any official business, authorized under DCMR for any ANC, which requires that our meeting: (1) Be properly noticed; (2) Be held in a public forum; and (3) Include the presence of six (6) Single Member District Commissioners (SMD) in order to constitute that quorum;

NOW, THEREFORE, BE IT RESOLVED, at a properly noticed 03/11/15 ANC 4C public meeting, a majority of those duly elected and sworn-in ANC 4C Commissioners, with that quorum present, upon considering a motion of the foregoing appeal report for 1521 Varnum Street, NW, associated with Permit #B1503050/BZA Case #18991 – concluded by a vote of ten (10) yeas and zero (0) nays – to accept the report, support the appeal of Mr. John Stokes, and in a second motion, at the same duly noticed and authorized meeting, to have Mr. John Stokes be the person named and authorized by the ANC to present its report before the BZA; concluded by a vote of nine (9) yeas and one (1) nay to have Mr. Stokes affect such representation;

BE IT FURTHER RESOLVED, ANC 4C is appealing this matter – BZA Case #18991 – after reviewing the project's permitted plans, in accordance with Permit #B1503050 and have determined through its report that several chapters of the DC Zoning Regulations, as they pertain to Residential R-4 District rules, conflict with this project; including but not limited to: (1) The proposed height and density of the subject project, (2) lack of required yards – rear and side – (3) overcrowding of the lot, (4) inclusion of a non-conforming rear parking lot, and (5) non-conforming roof structures; all together contravening the rules governing development of the subject property; to wit, we specifically draw BZA's attention to Title 11 of DCMR:

11-330	R-4 DISTRICTS: GENERAL PROVISIONS;
11-333	STORAGE AND PARKING ON ALLEY LOTS (R-4);
11-400	HEIGHT OF BUILDINGS OR STRUCTURES (R);
11-401	MINIMUM LOT DIMENSIONS (R);
11-402	FLOOR AREA RATIO (R);
11-403	PERCENTAGE OF LOT OCCUPANCY (R);
11-404	REAR YARDS (R);
11-405	SIDE YARDS (R);
11-411	ROOF STRUCTURES (R);
11-412	PERVIOUS SURFACE;
11-413	RETAINING WALLS; and
11-408	GROSS FLOOR AREA (R)

Respectfully submitted,


Vann-Di Galloway, Chair
ANC 4C

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