



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.:	19007	Case Name:	Application of Jonathan and Jessica Leonard
Address or Square/Lot(s) of Property:	Square 3509S Lot 43		
Relief Requested:	Denial of Variance relief		

ANC MEETING INFORMATION

Date of ANC Public Meeting:	0	5	/	11	9	/	1	5	Was proper notice given?:	Yes	☒	No	☐
Description of how notice was given:	Seven calendar days prior to the ANC 5E meeting notices are sent out. This meeting was properly noticed by using community listservs, websites, and blogs. Each ANC Commissioner posted the meeting agenda at four conspicuous places in their respective Single Member District.												
Number of members that constitutes a quorum:	6				Number of members present at the meeting:	9							

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*):

SEE ATTACHMENT I

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*):

Denial of Variance relief from the (1) limitation on height and stories in 11 DCMR SS 400.1, the minimum lot area of SS 401.3, and (2) maximum lot occupancy of SS 403.2 , (3) 2001.3 non- conforming structures.

AUTHORIZATION

ANC	5	E	Recorded vote on the motion to adopt the report (i.e. 4-1-1):	9-0-0
Name of the person authorized by the ANC to present the report:			Sylvia M. Pinkney	
Name of the Chairperson or Vice-Chairperson authorized to sign the report:			Teri Janine Quinn	
Signature of Chairperson/ Vice-Chairperson:			Date:	6/1/15

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. 19007
EXHIBIT NO. 31

Attachment I

While the ANC 5E has supported similar variance relief requests in the past, support was granted only for the owner of a given property. Not only did the ANC 5E oppose this variance, the Eckington Civic Association (ECA) sided with the ANC 5E and would not provide Kinley Bray an opportunity to present at the upcoming June 1st ECA meeting. The community support for this variance equates to three letters. One of the supporters doesn't even live on T Street.

One concern is the precedent this development will set. Jonathan and Jessica Leonard are requesting ANC 5E and the Board of Zoning Adjustment support for zoning relief on a property they do not own. They are seeking zoning relief as a condition of their purchase of the upper unit of 18 T Street, NE.

Jonathan and Jessica Leonard would not encounter practical difficulties or undue hardship if the zoning regulations were strictly applied. They have the option of not purchasing the property at all as well as suing the developer for their deposit. The couple sold their previous property. No one sells a property to lose money.

The variance will cause substantial detriment to the public good. If this variance is allowed in our community the cycle of developer's illegal construction and variances granted to buyers who want to purchase these properties will never end. The developers are being rewarded because variances are provided and the properties are allowed to be sold. Developers will continue to prey on the citizens of the District of Columbia.