



EXHIBIT A

caesar junker <caesar.junker@gmail.com>

Zoning issues at 1351 Wisconsin Ave; Application ID: B1400387

1 message

caesar junker <caesar.junker@gmail.com>

To: "Beeton, Kathleen A. , (DCRA)" <kathleen.beeton@dc.gov>

Cc: "LeGrant, Matt (DCRA)" <matthew.legrant@dc.gov>, randolhh <tadams563@aol.com>, Christian Mulder <cmulder@worldbank.org>, Bill Gallagher <bgallagher@kgpds.com>, Andrea Ferster <aferster@railstotrails.org>

Mon, May 5, 2014 at 6:31 PM

Dear Kathleen Beeton,
Deputy Zoning Administrator
Dept of Consumer and Regulatory Affairs
Government of the District of Columbia
1100 4th St SW - Room 3100
Washington, DC 20024
Phone: 202 442-4576

CC
Matthew Le Grant
Zoning Administrator
Phone: 202 442-4652
FAX: 202 442-4871

I am writing this letter on the behalf several neighbors in the Georgetown who are very concerned about the permit application B1400387 for the development of 1351 Wisconsin Ave. It my understanding from DCRA that the permit B1400387 has been assigned to you for review. We have been advised that the project plans approved by the CFA on the 18th of April are not a matter of right. There are several zoning issues that we would like to discuss with you before a permit is issued. We urge your careful consideration of the permit and would like an opportunity to talk with you before the permit is issued. Below is a short list and brief description of the some of the more obvious issues.

1. The Theater address 1351 Wisconsin Ave is currently one record lot. The Sq 1243 Lot 811 is a single, split-zoned lot with two zoning regulations applicable (R3 and C2A). The lot contains two structures: a commercial building, on the commercially-zoned portion of the lot and a carriage house (currently vacant) on the residentially-zoned portion. A single record lot must have only one main or "principal" structure (Title 11 DCZR). However, the permit proposes to renovate the carriage house as a residence. The proposed renovations cannot make a residence out of the carriage house, because it would then contain two principal structures on a single lot of record.

2. The application does not meet the zoning requirement of 2.5 FAR. The commercial structure C2A has $4,245 \text{ sq ft} \times 2.5 = 10,612 \text{ sq feet}$ limit. The applicant's plans state he has 12,345 allowable because of zoning section 2514 ("when a zone district boundary line crosses a lot") that allows for additional FAR by adding the residential lot into the equation. His calculations are incorrect and the current plans clearly have more than 2.5 FAR. If he is allowed to use the rear residential lot as a tool to increase his FAR for the commercial space it is much less.

3. The plans call for windows along the South party line which is not permitted by zoning regulations. The no build easement on the adjacent lot that is referred to in the permit application is not correct. Even with the easement the Lot line windows are "at risk windows" requiring a code waiver.

4. The proposed addition creates a non-conformity of the rear yard not currently in existence. The carriage house is an accessory structure that would become a residential building and there is a 20 foot rear yard set back requirement for residential buildings.

5. The carriage house in the rear of the lot is attached to the main commercial structure merely by having adjacent walls touch each other though the connection in the plans labeled a loggia. Therefore there is "no meaningful connection" between the front and rear buildings (no access).

Thank You,

Caesar Junker

ApplicationID	Date Filed	Full Address	Agent Name	Phone Number

Board of Zoning Adjustment
District of Columbia
CASE NO.19049
EXHIBIT NO.24

	B1400387	10/10/2013	1351 WISCONSIN AVE NW	ROBERT BELL	202-333-8412
	Discipline	Review Status	Status Date	Review Comment	
	Mechanical Review	Mechanical Review Pending			
	Plumbing Review	Plumbing Review Pending			
	Fire Review	Fire Review Pending	10/11/2013		
	Structural Review	Structural Review Pending	10/11/2013		
	DDOE Review	DDOE Review Pending	10/11/2013		
	Electrical Review	Electrical Review - HFC	11/25/2013	application and plans not submitted for routing and review.	
	Zoning Review	Zoning Review - HFC	12/05/2013	plans not submitted to file room for routing and review.	
	HPRB Review	HPRB Review Approved	04/18/2014		
	CFA Review	CFA Review Approved	04/18/2014		



EXHIBIT B

caesar junker <caesar.junker@gmail.com>

Zoning issues at 1351 Wisconsin Ave; Application ID: B1400387

1 message

William Gallagher <bgallagher@kgpds.com>

Mon, Jun 23, 2014 at 10:48 PM

To: "kathleen.beeton@dc.gov" <kathleen.beeton@dc.gov>, "LeGrant, Matt (DCRA)" <matthew.legrant@dc.gov>

Kathleen Beeton,

Deputy Zoning Administrator

Dept of Consumer and Regulatory Affairs

Government of the District of Columbia

1100 4th St SW - Room 3100

Washington, DC 20024

Phone: 202 442-4576

CC

Matthew Le Grant

Zoning Administrator

Phone: 202 442-4652

FAX: 202 442-4871

Reference: Zoning issues at 1351 Wisconsin Ave; Application ID: B1400387

Dear Ms. Beeton,

I am one of the several neighbors that Caesar Junker referred to in an earlier email to you on May 5th, 2014. We as Georgetown neighbors are very concerned about the permit application B1400387 for the development of 1351 Wisconsin Ave. It is my understanding from DCRA that the permit B1400387 has been assigned to you for review. We have been advised that the project plans approved by the CFA on the 18th of April are not a matter of right. There are several zoning issues that we would like to discuss with you before a permit is issued. We urge your careful consideration of the permit and would like an opportunity to talk with you before the permit is issued. Below is a short list and brief description of the some of the more obvious issues.

1. The Theater address 1351 Wisconsin Ave is currently one record lot. The Sq 1243 Lot 811 is a single, split-zoned lot with two zoning regulations applicable (R3 and C2A). The lot contains two structures: a commercial building, on the commercially-zoned portion of the lot and a carriage house (currently vacant) on the residentially-zoned portion. A single record lot must have only one main or "principal" structure (Title 11 DCZR). However, the permit proposes to renovate the carriage house as a residence. The proposed renovations cannot make a residence out of the carriage house, because it would then contain

two principal structures on a single lot of record.

2. The proposed addition creates a non-conformity of the rear yard not currently in existence. The carriage house is an accessory structure that would become a residential building and there is a 20 foot rear yard set back requirement for residential buildings.

3. The carriage house in the rear of the lot is proposed to be attached to the main commercial structure merely by having adjacent walls touch each other without any physical passageway between buildings. The connection in the plans is labeled a "loggia". Therefore there is "no meaningful connection" between the front and rear buildings (no access).

4. The application does not meet the zoning requirement of 2.5 FAR. The commercial structure C2A has 4,245 sq ft x 2.5 = 10,612 sq feet limit. The applicant's plans state he has 12,345 allowable because of zoning section 2514 ("when a zone district boundary line crosses a lot") that allows for additional FAR by adding the residential lot into the equation. His calculations are incorrect and the current plans clearly have more than 2.5 FAR. He is not allowed to use the rear residential lot as a tool to increase his FAR for the commercial space because the new building with loggia now crosses the zoning boundary line.

5. The plans call for windows along the South party line which is not permitted by zoning regulations. The no build easement on the adjacent lot that is referred to in the permit application is not correct. Even with the easement the Lot line windows are "at risk windows" requiring a code waiver.

6. There are other property boundary issues that are of great concern and will effect several neighbors egress for fire, trash and access.

We would like to meet with you at your convenience to talk about these issues. Please contact me by email or phone numbers below.

Thank you for your time.

Bill

William B. Gallagher, Jr., AIA
Principal

KGP Design Studio, LLC
1099 14th St NW, Suite 101L
Washington, DC 20005

Tel. 202 822 2102 x202
Cell: 202 997.0290
Fax: 202 822.2104
Web: www.kgpds.com