

**Attachment "D"**

**Statement  
of the existing and intended use of the extended deck.**

1. Embassy of the Kyrgyz Republic to the USA and Canada is diplomatic mission with 6 diplomats (including the Ambassador) and 2 administrative staff members.
2. The building of the Embassy is located at the 2360 Massachusetts Avenue NW, Washington DC 20008 (Zoned D/R-3), and is owned by the Embassy since 2005.
3. The façade of the building faces the directly the Massachusetts Avenue, while the rear of the property backs to the Rock Creek Park hill.
4. Given that the rear of the property is located on the hill of the Rock Creek Park, and there was a risk of erosion, the Embassy has applied to the central Government of the Kyrgyz Republic to allocate funds for appropriate preventive construction works. Thus application included the building of the retaining wall at the rear of the building, as well as building an extension deck over the retaining wall for the use of the Embassy.
5. Strong earthquake in Washington DC in 2011 increased the risk of damage to the old building of the Embassy, and the erosion became even more sensitive issues for the building
6. Since 2012 the Embassy taken efforts to get funds from the Central Government of the Kyrgyz Republic for the construction of the retaining wall and the extension deck. The funds were finally allocated in September of 2014.
7. In October 2014, the Embassy has hired local construction company Precision Contracting Solutions LLP, which has taken commitment to fulfill the construction works both for the retaining wall and the extensions deck, including all the necessary permission documents from the appropriate regulative agencies in Washington DC. The deadline for the end of construction works was set in the contract

BOARD OF ZONING ADJUSTMENT  
District of Columbia

CASE NO. 19091

EXHIBIT NO. 6

Board of Zoning Adjustment  
District of Columbia  
CASE NO. 19091  
EXHIBIT NO.6

between the Precision Contracting Solutions LLP and the Embassy (signed on October 31, 2014) as December 31, 2014

8. However, Precision Contracting Solutions LLP has failed to meet the deadline. Besides, it has informed the Embassy in January 2015 that the building of the extension deck is not approved by the Zoning Department of the DC Government due to the lot occupancy restrictions. Hence, the Embassy has raised questions before the construction company about the reasons it has not informed the Embassy about the restrictions on lot occupancy in advance. The answer was “It was a new regulation” of which the construction company did not know. The Embassy has requested the construction company to provide detailed written information on the lot occupancy requirements in comparison with the intended constructions works at the Embassy.
9. In March 2015, Construction company has informed the Embassy that obtaining permission for the extension deck requires a hearing procedure before the Board of Zoning Commission of the DC Government, and it will take from 4 to 6 months.
10. Given that the Precision Contracting Solutions LLP has failed to fulfill its commitments under the signed contract, the Embassy representatives have met directly with the Zoning Department of the DC Government, to discuss the current status of the permission for the extension deck and possible ways to resolve the situation.
11. After the meeting with Zoning Department of the DC Government, the Embassy has decided to apply for a hearing before the Board of Zoning Commission by itself.
12. There are 2 key reasons the Embassy is willing to complete the project of building the extension deck
  - To increase the useful space of the Embassy, which could be used for different official and diplomatic events. Increasing the useful space at the backyard of the Embassy, as it was done by immediate neighbors of the Embassy, makes a significant sense given that internal space of the building, which may be used for public events is quite limited. However, the Embassy by no means disclaims its

commitment to maintain the upkeep of the row dwelling and the backyard and to be a “good neighbor” in this neighborhood, which is considered to be heavily diplomatic.

- The Embassy is eager to use the allocated funds by the Central Government of the Kyrgyz Republic, and fully complete the project. This is an important aspect, given that it took the Embassy 3 years to get the funds from the Government. Making changes into the approved project (by building only the retaining wall instead of building retaining wall and extension deck) is as complicated as to get approval for the new project.

If the Embassy will not get the permission for the extension deck, according to the legislation of the Kyrgyz Republic, the funds shall be returned by the Embassy to the Central Government.

**Embassy of the Kyrgyz Republic  
to the USA and Canada**