

December 14, 2015

Marnique Y. Heath.

Chairperson

Board of Zoning Adjustments

441 4th Street NW Room 220 South

Washington, DC 20001

Re: 4308 47th Street BZA No. 19120. Amendment to include Section 405, side yard relief under Section 223.1

Dear Chairperson Heath and Board members

This letter is to request an additional relief from the side yard setback provisions set forth under § 405 for the referenced application before the Board.

The hearing for the referenced case was originally scheduled for November 17, 2015, but has been continued upon the request of the applicant until February 2, 2016

As filed and advertised, relief was sought specifically under § 404 the rear yard provisions as a subsection under § 223.1.

It has come to light that contrary to the assertion in the Applicant's Pre-hearing Statement that the nonconformity of side yard which exists opposite 47th Street was in existence prior to the May 12, 1958 adoption of the zoning regulations, the side yard was approved by BZA Order 16135 in 1996.

Therefore to the extent that the extension of that side yard is deemed an amendment to that BZA Order, the applicant wishes to err on the side of caution by itemizing an additional relief from the side yard provisions by citing § 405 as an added relief sought under the master section, § 223.1.

The proposed additions which extend the side yard approved under BZA Order 16135 will not decrease in depth the set back approved under that Order.

The applicant intends to address the additional relief more expansively and substantively in the final hearing Statement to be submitted fourteen days before the new hearing date of February 2, 2016

Thank you in advance of your consideration

Respectfully

A handwritten signature in blue ink, appearing to read "TOYE BELLO". The signature is stylized with a large initial "T" and "B".

Toye Bello