



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**THE JOHN A. WILSON BUILDING**  
**1350 PENNSYLVANIA AVENUE, NW**  
**WASHINGTON, D.C. 20004**

**KENYAN R. McDUFFIE**  
**Councilmember, Ward 5**  
**Chair Pro Tempore**  
**Chair, Committee on Business and**  
**Economic Development**

**Committee Member**  
**Finance and Revenue**  
**Labor and Workforce Development**  
**Transportation and the Environment**

April 3, 2017

Frederick L. Hill  
Chairperson  
D. C. Board of Zoning Adjustment  
441 4th Street NW Suite 200S  
Washington, DC 20001

Re: Support for appeal of permits for BZA case no. 19441; 410 and 412 Richardson Pl NW

Dear Chairperson Hill:

This letter concerns Board of Zoning Adjustment (BZA or Board) case no. 19441. It has come to my attention that during the March 22 hearing of case no. 19441, the Board requested that the Department of Consumer and Regulatory Affairs (DCRA) provide additional details regarding a certificate of occupancy issued to Oak Tree Development without an affidavit to support it. As a result I request that the hearing record be reopened to also include this letter and be made part of the record.

To provide context to this letter, I support the Richardson Place Neighborhood Association (RPNA) in their appeal of permits issued to Oak Tree Development (permits B1611469 and B1611470) by DCRA. As the hearing record reflects, these permits would authorize the construction of two adjacent flats in the R-4 District at premises 410 and 412 Richardson Place NW (Square 507, Lots 101 and 102). You are also aware that the Advisory Neighborhood Commission 5E has already formally communicated its recommendation to support RPNA in this matter.

I support the RPNA because community members have expressed grave concerns about the development. Specifically, the community is concerned that the development will materially change the character of the neighborhood. RPNA has expressed that this project exploits somewhat ambiguous language in the zoning code, and thus avoids community input.

Also of concern is the certificate of occupancy issued without an affidavit to support it. DCRA's mission charges the agency with protecting the quality of life, and health, safety, and economic interests of District residents. If DCRA issued the certificate of occupancy prior to receiving an affidavit to support it, that is problematic. Issuing a certificate of occupancy without a supporting affidavit undermines the very process established to protect a community from undesirable projects like these.

For these reasons, I support the appeal of permits issued to Oak Tree Development by the DCRA in BZA case No. 19441. Thank you very much for your consideration.

Should you have any questions, please contact my Legislative Director Barbara Mitchell at [bmitchell@dccouncil.us](mailto:bmitchell@dccouncil.us) or (202) 724-8028.

Sincerely,

Kenyan R. McDuffie