

**Statement of Advisory Neighborhood Commission 6C
In Support of Appeal to the Board of Zoning Adjustment
Concerning Permit B1806410**

Advisory Neighborhood Commission 6C (“ANC 6C”) submits this statement in support of its appeal concerning permit B1806410.

As mandated by 11 DCMR subtitle Y, section 302.12, ANC 6C states the following:

1. This appeal is taken against the Department of Consumer and Regulatory Affairs (DCRA) and DCRA’s Zoning Administrator, Matthew LeGrant.
2. ANC 6C appeals the issuance of permit B1806410 (“the Permit”; copy at Attachment A), issued on March 27, 2018.
3. The Permit and this appeal relate to 310 E St. NE, aka square 779, lot 54 (“the Property”) in the RF-3 zone.
4. The Property’s owners of record are Alida Q. Byrd and Tinina Q. Cade, 19100 Woodston Rd., Detroit, MI 48203.
5. ANC 6C first learned of the issuance of the Permit in April 2018; precise date is unknown. A member of the Commission learned of the Permit’s issuance by querying DCRA’s Online Building Permit Application Tracker at <https://eservices.dcra.dc.gov/obpat/default.aspx>.
6. The Property lies entirely within the boundaries of ANC 6C, which therefore has standing to bring this appeal as an “affected ANC” within the meaning of 11 DCMR Y § 101.8.
7. ANC 6C contends that the Permit’s issuance fails to comply with the District’s zoning regulations, and that the Permit should therefore be revoked, on the following grounds:
 - a. **Percentage of lot occupancy:** The structures existing on the Property at the time of the Permit’s issuance occupied more than 60% of the lot area, the maximum prescribed by 11 E DCMR § 504.1.
 - b. **Nonconforming structure:** The existing structures, taken together, constitute a nonconforming structure as defined at 11 B DCMR § 100.2.

- c. **Impermissible expansion of nonconformity:** The Permit and drawings submitted in support of the associated application purport to authorize enlargements that would increase the percentage of lot occupancy, thereby increasing and extending an existing nonconformity in violation of 11 C DCMR §§ 201.1 and 202.2(b).

ANC 6C will discuss these shortcomings in greater detail, with specific reference to the Permit application plans and drawings at Attachments B and C, in its pre-hearing statement.

- 8. ANC 6C04 Commissioner Mark Eckenwiler will testify concerning the plans and drawings referenced above (and their inaccuracy and legal insufficiency), as well as the general history of the Permit and the existing conditions at the Property.

For all the reasons stated above, ANC 6C respectfully urges the Board to find that DCRA and the Zoning Administrator violated the Zoning Regulations in issuing permit B1806410. Accordingly, we ask the Board to reverse the decision of the Zoning Administrator and to order the immediate revocation of permit B1806410.

Respectfully submitted,



Mark Eckenwiler
Commissioner, ANC 6C04
(as authorized representative
for ANC 6C)

TABLE OF ATTACHMENTS

- A. Permit B1806410
- B. Annotated Surveyor's Plat Submitted in Support of Application for Permit B1806410
- C. Plans and Drawings Submitted in Support of Application for Permit B1806410
- D. Photographs
- E. 1890 permit for construction of 308-312 E St. NE
- F. 1999 survey of 312 E St. NE