COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D.C. 20004

February 10, 2003

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D.C. OFFICE OF ZONING
2003 FEB 12 AM 8:58

Board of Zoning Adjustment
441 4th St., NW Suite 200
Washington, DC 20001

Dear Members of the Board:

This office is aware of the current difficulty concerning Building Permit #431591 concerning the addition to the home at 1018 Constitution Avenue, NE, belonging to Philip Sedlak and Kathleen Peoples as well as BZA Case 16811, which overturned the aforementioned permit. We support the mission of the Zoning Administration in preserving appropriate land use and providing for the comfort and safety of the citizens of the District of Columbia. However, there seem to be several unusual and mitigating circumstances in the present situation.

The deliberations of the BZA (transcript, Case 16811) include discussions admitting that the original decision of the Zoning Administrator to grant the permit is based on precedent, and that the regulation in question is now a subject of confusion which admits of several interpretations. The BZA's recommendation during the hearing that the regulation in question be clarified, indicates that the matter of the statute's true scope and application is open to question, a question that may not be definitively settled for some time.

As the owners at 1018 Constitution Avenue, NE duly relied on authorizations issued by the city to build their structure, issued by Zoning Administrators who used established precedence to issue those authorizations, it would be a grievous and unwarranted financial hardship for them to bear the financial brunt of this reliance, based on a statute which is the focus of controversy.

We support and recommend that a special exception (a remedy suggested in the hearing transcript) be granted to provide relief to these homeowners.

Sincerely,

Sharon Ambrose

Sharon Ambrose
Councilmember, Ward 6

BZA
Case No. 16811
Exhibit No. 46

Board of Zoning Adjustment
District of Columbia
CASE NO.16811
EXHIBIT NO.46

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Case No. 16811
Exhibit No.

COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20001

COUNCILMEMBER SHARON AMBROSE
1350 Pennsylvania Avenue, N.W., Suite 102
Washington, D.C. 20004-3089
Office: 202/724-8072
Fax: 202/724-8054

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DATE: _____

TO: Ms. Kress (BZA)

FAX 727-9072

FROM: Sharon Ambrose

SUBJECT: _____

SPECIAL NOTES

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