January 13, 2005

The Honorable James D. Berry, Jr.
Commissioner/Chairperson
Advisory Neighborhood Commission (ANC)
P.O. Box 77761
Washington, DC. 20013

64 New York Avenue, NE
Washington, DC 20001

Reference: Request to BZA Application No. 17134
For Modification of Original Building Plans
163 Adams St NW/ Square 3125, Lot 15

Dear Mr. Berry:

Please include and consider this matter on the upcoming Agenda scheduled for January 18, 2005.

On February 17, 2004, Ms. Gayle Patrick, Architect and myself came before the Advisory Neighborhood Commissioners (5C) to consider a request made via the Board of Zoning Adjustment to allow the construction of a two story rear yard enclosed sunroom porch at my resident known as 163 Adams St NW, Washington, DC 20001 (Square 3125, Lot 15), in a R4 District. The ANC Board approved unanimously the presented "building plans", and duly notified BZA of its decision.

On March 23, 2004, Ms. Gayle Patrick and myself attended BZA's public meeting in our effort to gain approval to construct a two story rear yard enclosed sunroom porch in accordance to the building plans submitted. In conjunction with the ANC's support, The Office of Planning (OP) submitted a report in support of the application. The Government of the District of Columbia, Board of Zoning Adjustment, approved the plans.

The intent of this letter is to notify the ANC Board of my notification to the Department of Consumer and Regulatory Affairs (DCRA), Building and Land Regulation Administration, The Office of Planning, and the Board of Zoning Adjustment, of a cited construction error. The specific construction error was to that of the two-story rear yard enclosed sunroom over built by thirty inches (30") of rear yard occupancy than called for in the original plans. Once this construction error was identified, I consulted the office of DCRA for guidance and was told to continue the construction, as the 30" was minimum. A later meeting held with Mr. Toye Bello, Administrator of DCRA, who indicated that a member of his staff directed me incorrectly; however, by that time 90% of the two story enclosed rear yard sunroom had been constructed. Mr. Bello subsequently referred me to the Office of Zoning Adjustment

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I consulted with Mr. Arthur Jackson, of the Office of Planning (OP), and Mr. Nero of the Board of Zoning Adjustment.

Mr. Jackson (OP) did not express any objections, but instructed me to notify my ANC and gain support for the approximate thirty inch (30") overage of rear yard occupancy by way of letter and forward him a copy of the ANC's disposition.

Mr. Nero of the Board of Zoning Adjustment, suggested that I file by way of application/motion a request to modify my original building plans to include an adjustment of the approximate thirty inches (30") overage of rear yard occupancy, and it may be considered in a administrative meeting which is held on the first Tuesday of each month. No public meeting at this time is recommended, as this is a minor modification request of the original building plans.

Mr. Berry, I contacted you along with Ms. Celia Dianne Barnes (5C07) and Ms. Cleopatra Jones and provided a verbal briefing of the circumstances. I have also taken the liberty of petitioning the surrounding neighbors and gained their support by way of a signed petition – copies attached for your perusal.

I would supremely appreciate your support and the support of the entire ANC Board in allowing the original plans to be modified to include the overage of thirty inches (30"), which will enable me to move forward in the completion of this two-story rear yard enclosed sunroom porch. This structured is already 90% completed but halted until the ANC and other Regulated Agencies responded favorably.

It is important to understand that 30" rear yard occupancy overage does not encroach on any owner's property, nor have any negative impact on public utilities or property values.

If any additional information is desired, do not hesitate to contact me at (202) 528-6072.

Respectfully yours,

V. Jerome Walker

Attachment - Petition

cc. Mr. Toye Bello, Administrator of DCRA

Mr. Arthur Jackson, The Office of Planning

Ms. Gayle Patrick, Architect of Record

Ms. Celia Dianne Barnes

Ms. Cleopatra Jones

D.C. 2005 JUN 23 PM 3:06