MEMORANDUM

TO: Chairperson Geoffrey Griffis
Board of Zoning Adjustment

Sherri Pruitt, Secretary
Board of Zoning Adjustment

Date: April 5, 2005

FROM V. Jerome Walker

SUBJECT: 17134- **Application of V. Jerome Walker,** pursuant to 11 DCMR - 3103.2, for a variance from the lot occupancy requirements under section 403, a variance from the rear yard requirements under section 404, and a variance from the non-conforming structure provisions under subsection 2001.3, to allow the construction of a two story rear enclosed sunroom addition to a single family row dwelling in the R-4 District at premises 163 Adams Street, N.W. (Square 3125, Lot 15).

This letter is written to respectively request that the D.C. Board of Zoning Adjustment accept the waiver requirement of seven days for written reports from ANC-5C pursuant to 11 DCMRS 3307.01, and allow the ANC-5C's report become part of the official record in the above referenced case.

Thank you in advance.

Respectfully submitted,

V. Jerome Walker

BZA
Case No. 17134
Exhibit No. 41

Board of Zoning Adjustment
District of Columbia
CASE NO. 17134
EXHIBIT NO. 41

00000-000-000
APR 05,2005 07:21

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 5C
680 RHODE ISLAND AVENUE, N.E., SUITE H-4
WASHINGTON, D.C. 20002

TELEPHONE: 832-1965/1966 - FAX: 832-1969
www.anc5c.org

March 31, 2005

Chairperson Geoffrey Griffis
Government of the District of Columbia
Board of Zoning Adjustment
441 4th Street, N.W., Suite 220
Washington, D.C. 20001

Attention: Sherri Pruitt, Secretary

RE: Application 17134 - of V. Jerome Walker, pursuant to 11 DCMR § 3103.2, for a variance from the lot occupancy requirements under section 403, a variance from the rear yard requirements under section 404, and a variance from the nonconforming structure provisions under subsection 2001.3, to allow the construction of a two story rear enclosed porch addition to a single-family row dwelling in the R-4 District at premises 163 Adams Street, N.W. (Square 3125, Lot 15).

Dear Chairperson Griffis:

This letter is written to formally and respectfully request that the D.C. Board of Zoning Adjustment waive the "seven day filing requirement for written reports from ANC's" pursuant to 11 DCMR 3307.1, in order that the attached report may become a part of the official record in the above-referenced case.

We thank you in advance for our favorable response to our request for a waiver of the seven day filing requirement for written reports from ANC's; indeed, we trust that the attached report will be given a chance to receive the "great weight" to which it is entitled.

Yours truly,

James D. Berry, Jr.
Chairperson

JDB

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 5C
POST OFFICE BOX 77761
WASHINGTON, D.C. 20013

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March 31, 2005

Chairperson Geoffrey Griffis
Government of the District of Columbia
Board of Zoning Adjustment
441 4th Street, N.W., Suite 220
Washington, D.C. 20001

Attention: Sherri Pruitt, Secretary

Re: **RE: Application 17134 - of V. Jerome Walker**, pursuant to 11 DCMR § 3103.2, for a variance from the lot occupancy requirements under section 403, a variance from the rear yard requirements under section 404, and a variance from the nonconforming structure provisions under subsection 2001.3, to allow the construction of a two story rear enclosed porch addition to a single-family row dwelling in the R-4 District at premises 163 Adams Street, N.W. (Square 3125, Lot 15).

Dear Chairperson Griffis:

This is to inform you that Advisory Neighborhood Commission 5C (ANC 5C) met on Tuesday, February 15, 2004 to consider, among other important issues, the above-referenced case. At the time, ANC 5C decided to lend its unanimous support to V. Jerome Walker's application and transmitted its position to the Board of Zoning Adjustment (BZA) in a letter dated March 8, 2004. It is our understanding that the BZA approved Mr. Walker's application at a hearing on March 23, 2004.

On January 18, 2005, Mr. Walker returned to our monthly meeting of ANC 5C to inform us that a contractor's error resulted in a deviation (of approximately 30") from the original building plan for which he had earlier sought the support of ANC 5C – in terms of rear yard usage. This situation put him out of compliance with the order that had been approved by the BZA on 3/23/2004; hence, Mr. Walker came back to see us because he wanted an opportunity to determine our position on the matter before he returned to the BZA to, hopefully, resolve the situation. At the 1/18/2005 meeting, two of the residents (husband and wife) of his immediate area expressed reservations about the unapproved change in plans. In the hope that Mr. Walker

would be able to talk to his neighbor to possibly allay any fears or anxieties that she and her husband obviously had about the project, ANC 5C did not act on his request for our support at that meeting. Importantly, Mr. Walker returned to the next month's meeting, i.e., on February 15, 2005, at which time he told us about his efforts to communicate with his disenchanted neighbors and he also presented us with a petition that indicated he had support of the residents of the immediate vicinity of his home. In the light of these circumstances, ANC 5C concluded that it would support Mr. Walker in his efforts to make the desired improvements to his home and that the error made by his contractor was not grievous enough to warrant a recommendation that the BZA countermand its original decision to approve his application for relief. In short, ANC 5C voted to support Mr. Walker under the circumstances.

For the record, please note that this meeting was held at the Saint Martin's Catholic Church, North Capitol & T Street, N.W.; that the public was given timely and appropriate notice of the date, location and hours of the meeting; and that a quorum of our membership was present and voting at the time that a decision was made concerning the issue.

If you have any questions concerning the decision of the ANC 5C made with respect to this issue, you may contact me at (202) 824-2803, Monday through Friday, between the hours of 9:00 a.m. and 5:30 p.m., and at (202) 387-8520 during the evening hours.

I thank you in advance for giving the position of ANC 5C the "great weight" to which it is entitled.

Yours truly,

James D. Berry, Jr.
Chairperson

cc: Members, ANC 5C

JDB

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TO: **Sherri Pruitt, Secretary**
Board of Zoning Adjustment

Chairperson Geoffrey Griffis
Board of Zoning Adjustment

DATE: 4/4/2005

FAX #: **202-727-6072**

FROM: **James D. Berry, Jr., Chairperson**

NO. of PAGES: 4

FAX #: **202-824-2819**

SUBJECT: **17134 - Application of V. Jerome Walker**, pursuant to 11 DCMR § 3103.2, for a variance from the lot occupancy requirements under section 403, a variance from the rear yard requirements under section 404, and a variance from the nonconforming structure provisions under subsection 2001.3, to allow the construction of a two story rear enclosed porch addition to a single-family row dwelling in the R-4 District at premises 163 Adams Street, N.W. (Square 3125, Lot 15).

Please hand-deliver to Chairman Griffis and/or Secretary Pruitt, upon arrival. This case is scheduled to be heard at or about 9:30 a.m. on April 5, 2005. Thanks!

JDB