ADVISORY NEIGHBORHOOD COMMISSION 1B
GOVERNMENT OF THE DISTRICT OF COLUMBIA
COLUMBIA HEIGHTS / LEDROIT PARK / SHAW / UNIVERSITY HEIGHTS

1B01 Lawrence T. Guyot, Jr.
1B02 Philip C. Spalding
1B03 Catherine Hammonds
1B04 Deborah R. Thomas
1B05 Jarvis Houston
1B06 Theodore "Ted" Butler
1B07 Sertira "Cookie" A. Wilson
1B08 Charles E. Glover
1B09 Sinclair "Nupe" Skinner
1B10 Kelvin P. Esters
1B11 Raymond Wright

6 November 2004

Geoffrey Griffis, Chairman
Board of Zoning Adjustment
Suite 210 South, 441 4th Street NW
Washington, DC 20001

BZA Case No. 17218
Tonya Harris, TON Inc.

Dear Chairman Griffis:

At its regularly scheduled meeting on November 4, 2004 (notice of which was properly given, and at which a quorum of nine of eleven members was present) ANC1B voted support (7-1-1) to the following resolution: "ANC1B recognizing the uniqueness of this applicant supports the variance from number of stories and height requirements and the special exception under 223 to allow the fourth floor addition to an existing flat not meeting lot occupancy requirements under 403 in R-4 district, and all other theories of exception propounded by their attorney." For further explication of the sense of this resolution the relevant minutes of our November 4th meeting are attached. ANC1B asks the Board to carefully consider our support voiced in the above resolution, and requests the Board to give great weight to our decision.

Sincerely,

Deborah R. Thomas, Chairperson

Philip C. Spalding, Secretary
Box 73710, Washington, DC 20056

CC: Jackson & Campbell
Councilmember Jim Graham
Westminster Neighborhood Association
Cardozo Shaw Neighborhood Association
Office of Historic Preservation

BZA
Case No. 17218
Exhibit No. 30

Board of Zoning Adjustment
District of Columbia
CASE NO. 17218
EXHIBIT NO. 30

involvement. Clyde Howard asked that they address the issue of excessive idling with the drivers working the site, and Mr. Hedin agreed to do so. Commissioner Skinner moved approval of the TCP, and it was seconded, and Commissioner Guyot requested the addition of a friendly amendment to include the offer to meet and negotiate with the NAMC concerning employment opportunities, and it was accepted as an amendment, and the motion was adopted (9-0-0).

Commissioner Spalding introduced BZA 17218 as a disturbing, discouraging situation in which renovation to an abandoned row house had exceeded zoning regulations, and now was seeking the zoning relief for work already completed. The property is an unattached row house inside the historic district. The applicant received permits from DCRA for this renovation, and the plans were then approved by the Office of Historic Preservation. When they began the construction on the site community members noticed the zoning infractions and made repeated calls to enforcement officials to question two design elements including the additional floor and the back stairway. Commissioner Guyot stated that this is an extremely simple case, and that he has visited the site and the work done is beautiful. This developer took a crack house at 906 T Street, and on the side of it there's another crack house being redeveloped, and across the street there's another crack house being developed by two old women. Now if there's ever a situation where a person follows the direction of the agency, and has a legally binding authorization with their stamp on the plan, and then there's protest. I would hope that we can support the variance application and send a clear message that any developer who develops a crack house will not then be cracked with this kind of technicality, and Commissioner Skinner seconded this as a motion. Commissioner Spalding requested a point of personal privilege, and stated that this project is in his single member district, and he has met with the applicant, has appeared before the Board of Zoning Adjustment on this application, he has met with the Office of Planning and with the Office of Historic Preservation, and has spent time crafting a motion, and taking the specific instructions of the Chairman of the BZA into account to deal with the question of uniqueness of the property, shouldn't it be the common courtesy of the Commission to allow the single member district Commissioner to offer the motion? Commissioner Skinner stated that all that was not true, and that Commissioner Spalding should not pretend to be the lawyer for this person. Chairperson Thomas requested that Commissioner Skinner show some respect for his fellow Commissioners and allow Commissioner Spalding to finish speaking. Commissioner Spalding continued that he would offer his motion and that if the Commission chose to vote it down, then it would be appropriate for the other Commissioners to offer a motion, and that he will represent either motion before the BZA. Commissioner Spalding stated that he has been unable to find anything about the property that rises to the test of uniqueness, quite to the contrary, since it is not an inside row house the fourth floor is visible from T Street and presents troubling difficulties in an historic preservation context as well as the zoning context. Commissioner Spalding moved that ANC1B finds that BZA Application 17218 does not satisfy 11 DCMR 3103.2 as extraordinary or exceptional, and further finds that allowing relief would be detrimental to the public good and the integrity of the zone plan. ANC1B does not oppose the granting of a special exception under 223.3 addressing the lot occupancy. Motion failed to receive a second. Commissioner Guyot moved that ANC1B recognizing the uniqueness of this applicant supports the variance from number of stories and height requirements and the special exception under 223 to allow the fourth floor addition to an existing flat not meeting lot occupancy requirements under 403 in R-4 district, and all other theories of exception propounded by their attorney. Motion was seconded and adopted (7-1-1).

ABRA application for renewal of a CN nightclub license for Velvet Lounge was introduced by Commissioner Spalding. This is a nightclub that has been in the neighborhood for a long time, and has received great reviews in the local press. I put the renewal up on the local list serve looking for any community comments, and received none. I am not aware of any ABRA violations during the past two