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

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

Rec'd. Feb. 10, 2005

January 7, 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 17287 – of Robin Epstein,** pursuant to 11 DCMR 3104.1, for a special exception to construct a two-story rear addition to an existing single-family row dwelling under section 223, not meeting the lot occupancy (Section 403) and rear yard (section 404) requirements in the R-4 District at premises 1542 First Street, NW (Square 552, Lot 199).

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 your favorable response to our request for a waiver of the seven day filing requirement for written reports from ANC's; indeed, we trust that you will give the attached an opportunity to receive the "great weight" to which it is entitled.

Yours truly,

James D. Berry, Jr.
Chairperson

BZA
Case No. 17287
Exhibit No. 23

JDB

Board of Zoning Adjustment
District of Columbia
CASE NO. 17287
EXHIBIT NO. 23

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D.C. OFFICE OF ZONING
2005 FEB 10 AM 8:44

February 7, 2005

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Attention: Sherri Pruitt, Secretary

RE: **Application 17287 – of Robin Epstein,** pursuant to 11 DCMR 3104.1, for a special exception to construct a two-story rear addition to an existing single-family row dwelling under Section 223, not meeting the lot occupancy (Section 403) and rear yard (Section 404) requirements in the R-4 District at premises 1542 First Street, NW (Square 552, Lot 199).

Dear Chairperson Griffis:

I write to inform you that the officers and members of Advisory Neighborhood Commission 5C (ANC 5C) met on Tuesday, January 18, 2005 at its regular monthly meeting to consider, among other issues, the above-referenced application. For the record, please note that this meeting was held at the All Nations Baptist Church, 2001 North Capitol Street, NE; that the public was given timely and appropriate notice of the date, location and hours of the meeting; and that all 11 of the elected members of ANC 5C were present and voting at the time that a decision was made concerning the issue.

Specifically, Mr. Epstein's representative made a presentation of the applicant's plans at this meeting, essentially suggesting that Mr. Epstein's proposal would have no adverse impact upon the surrounding community, if allowed to be implemented by the BZA. In addition, there was no opposition to the applicant's proposed plans expressed by those neighborhood residents who were in attendance at the meeting and, at the time, we were not aware of any opposition to this project from members of the community at large.

After posing a series of questions to Mr. Epstein's representative, ANC 5C eventually agreed with the opinion that the implementation of the applicant's plans would have no significant adverse impact upon the surrounding neighborhood of which it could determine. In addition, it made a unanimous decision to conditionally support Mr. Epstein's application, provided that he made a presentation of his plans at the February 7, 2005 meeting of the Bates Area Civic Association, Inc. – the civic organization within whose boundaries the subject site is located –

and provided that no groundswell of opposition developed in the community in which he lives with regard to the project in the immediate future.

In the light of the decision reached by ANC 5C on January 18, 2005, I am pleased to advise you that Mr. Robin Epstein appeared at the February 7, 2005 meeting of the Bates Area Civic Association, Inc., held at Mount Sinai Baptist Church, 3rd and Q Streets, NW, and that he made a presentation of his plans to the residents assembled. As with the 1/18/2005 meeting of ANC 5C, no one in attendance expressed any objections to the proposal and to the knowledge of the commissioner who represents Single Member District 5C01, we continue to be unaware of any opposition to the project by members of the community at large. Hence, I write this letter of support on behalf of ANC 5C, respectfully requesting that the Board of Zoning Adjustment grant to Mr. Robin Epstein the special relief that he is requesting.

It is significant to note that there is a large tree stump in Mr. Epstein's back yard that must be removed in order for him to complete the proposed project. The roots that extend from this stump are also rather large and, over time, have spread in a way that has damaged the rear walkway and a part of the retaining wall of his next door neighbor, the Nelson family, at 1544 First Street, NW. The writer has talked to both Mr. and Mrs. John Nelson as well as Mr. Epstein about this problem and, while Mr. and Mrs. Nelson do not object to the applicant's plans to develop the rear of his house, they would like for him to cooperate with them to get their rear walkway and retaining wall repaired during the construction phase of the project. Importantly, Mr. Epstein made a public commitment to cooperate with Mr. and Mrs. Nelson in getting their walkway and retaining wall fixed and we expect him to honor this commitment.

If you have any questions about the position of ANC 5C on this matter and/or the contents of this letter, please don't hesitate to contact me at (202) 824-2803, Monday through Friday, between the hours of 9:00 a.m. and 5:30 p.m., or at (202) 387-8520 during the evening hours.

On behalf of the officers and members of ANC 5C, I thank you in advance for seriously considering our position concerning this application and for giving our views on the matter the "great weight" to which they are entitled.

Yours truly,

James D. Berry, Jr.
Chairperson

cc: Members, ANC 5C
ANC 5C Webmaster
Mr. Robin Epstein
Mr. and Mrs. John Nelson

JDB

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2005 FEB -9 PM 3:18

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

Chairperson Geoffrey Griffis
Board of Zoning Adjustment

DATE: 2/7/2005

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

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

NO. of PAGES: 4

FAX #: **202-387-8520**

SUBJECT: **Application 17287 – of Robin Epstein,** pursuant to 11 DCMR 3104.1 for a special exception to construct a two-story rear addition to an existing single-family row dwelling under Section 223, not meeting the lot occupancy (Section 403) and rear yard (Section 404) requirements in the R-4 District at premises 1542 First Street, NW (Square 552, Lot 199).

Please hand-deliver to Chairman Griffis and/or Secretary Pruitt, upon arrival. Thanks!

JDB