Advisory Neighborhood Commission 1C

PO Box 21009, NW, Washington, DC 20009
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Commissioners:

Chairperson
Alan Roth (1C01)

Vice Chairperson
Graham King (1C06)

Treasurer
Jon Canty (1C02)

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Mindy Moretti (1C04)

Bryan Weaver (1C03)

Andrew Miscuk (1C05)

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Lynn Taylor (1C08)

October 3, 2005

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D.C. OFFICE OF ZONING
2005 OCT -5 AM 4:08

Hon. Geoffrey Griffis, Chairperson
Board of Zoning Adjustment
441 4th Street, NW – Suite 210 South
Washington, DC 20001

Re: BZA Appeal No. 17335
Appeal of Kalorama Citizens Association
(1819 Belmont Road, NW – Square 2551, Lot 45)

Dear Chairperson Griffis:

Pursuant to 11 DCMR 3115, Advisory Neighborhood Commission 1C (ANC 1C) submits the following report on the above-referenced appeal of Building Permit No. B46999, dated March 2, 2005, allowing erection of a roof deck at 1819 Belmont Road, NW (Square 2551, Lot 45):

3115.1(a) – The appeal under review is identified above.

3115.1(b) – The application was considered at a public meeting of ANC 1C on Wednesday, September 7, 2005.

3115.1(c) – Proper notice of the meeting was given by ANC 1C in the form of publication in a community newspaper, transmittal of e-mail and Internet notice to approximately 1,600 neighborhood residents and stakeholders, and posting of notices in individual single member districts (SMDs). In addition, counsel for the property owner was notified by e-mail from the undersigned.

3115.1(d) – ANC 1C has eight SMDs. However, due to the recent resignation of one Commissioner, only seven are currently represented. A quorum of four Commissioners is therefore required for action. All seven sitting Commissioners were present at the September 7, 2005 meeting.

3115.1(e) – ANC 1C supports the appeal of Kalorama Citizens Association (KCA) and agrees with KCA's contention that the roof deck in question violates the maximum building height allowed under subsection 2510.1 of the Zoning Regulations (Congressional Limitation on Building Heights) and the 1910 Height of Buildings Act

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17335
EXHIBIT NO. 20

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incorporated by reference therein, D.C. Official Code § 6-601.05(f) (2001).

3115.1(f) – ANC 1C recommends that the appeal of Kalorama Citizens Association be sustained, as indicated in the attached resolution.

3115.1(g) – The attached resolution was approved by a roll call vote of 7-0.

3115.1(h) – Any or all of the following Commissioners are authorized to present this report:

- ANC 1C Chairperson Alan Roth;
- Commissioner Bryan Weaver, in whose SMD (1C03) the property in question is located; or
- Commissioner Lynn Taylor, who currently serves as Acting Chairperson of the ANC's Planning, Zoning, and Transportation Committee.

3115.1(i) – The signature of ANC 1C's Chairperson is provided below.

Please feel free to contact me at 347-3030 (W) or 667-7812 (H) if you have any additional questions.

Thank you for your consideration of our views.

Sincerely,

Alan J. Roth
Chairperson

Enclosure

cc: Denis James, President, KCA
Ann Hargrove, KCA
Julie Lee, General Counsel, DCRA
Carl Wilson, Deputy General Counsel, DCRA
Alan Bergstein, Esq., OAG
Montrose, LLC
Mary Carolyn Brown, Esq.

ADVISORY NEIGHBORHOOD COMMISSION 1C
RESOLUTION CONCERNING UPCOMING BZA HEARINGS
ON 1819 BELMONT ROAD, NW ("BELMONT TOWER")

WHEREAS, Montrose LLC, the owner/developer of 1819 Belmont Road, NW (Square 2551, Lot 45), has applied to the Board of Zoning Adjustment (BZA) for a special exception from the roof structure set-back requirements of subsection 411 of the Zoning Regulations, which is scheduled for hearing before the BZA on Tuesday, September 20, 2005 (BZA Application No. 17221), and

WHEREAS, the Kalorama Citizens Association (KCA) has filed an appeal of the building permit issued by the Department of Consumer and Regulatory Affairs (DCRA) on March 2, 2005, allowing the erection of a roof deck in violation of subsection 2510.1 of the Zoning Regulations (enforcing the Height of Buildings Act), the hearing on which is scheduled to occur before the BZA on Tuesday, October 18, 2005 (BZA Appeal No. 17335), and

WHEREAS, Advisory Neighborhood Commission 1C (ANC 1C) and the Adams Morgan community are well-acquainted with the facts surrounding the development of this property, which has been the subject of previous ANC resolutions and lengthy BZA proceedings, and

WHEREAS, ANC 1C on September 8, 2004 approved a resolution by unanimous vote in opposition to the special exception sought in Application No. 17221 and filed its ANC report in this case with the BZA by letter dated September 23, 2004,

NOW, THEREFORE, BE IT RESOLVED, that ANC 1C hereby reaffirms its opposition to the requested special exception for the reasons set forth in its September 2004 resolution and report, and be it

FURTHER RESOLVED, that ANC 1C supports the Appeal of KCA in Case No. 17335 for the reasons set forth in KCA's filing and authorizes the filing of a report to that effect with the BZA under section 3115 of the Zoning Regulations, and be it

FURTHER RESOLVED, that ANC 1C may be represented before the BZA in both cases by the Commissioner for Single Member District 1C03 in which the property is located, the Chairperson of ANC 1C, and/or the Chairperson or Acting Chairperson of the ANC's Planning, Zoning and Transportation Committee.

Offered by: **Commissioner Weaver**
Seconded by: **Commissioner Moretti**

Roth technical amendment to insert "Acting" before second "Chairperson" in final Resolved clause approved by unanimous consent.

Vote: **Approved, as amended, by roll call vote, 7-0**
AYE Roth, Canty, Weaver, Moretti, Miscuk, King, Taylor
Date: **September 7, 2005**