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December 10, 2009

Marc D. Loud, Chairman
D.C. Board of Zoning Adjustment
441 4th Street, N.W., Second Floor
Washington, D.C. 20001

Re: BZA Application for 400-414 Eastern Avenue, NE (Lots 17, 18, 19 in Square 5260) and Dix Street, NE (Lot 806 in Square 5260 (comprised of Lots 21, 22, 23, and 24, and a portion of Lot 25)), and 405 – 407 61st Street, NE (Lots 2, 28, and 800 in Square 5260) (collectively, the “Property”) – Special Exception and Variance Application for Affordable Housing Project

Dear Chairman Loud and Members of the Board:

Enclosed is the application of Dix Street Corridor Revitalization Partners, LLC (the “**Applicant**”) for special exception and variance relief in order to construct an affordable townhouse community at the Property (the “**Project**”). In order to implement the Project, the Applicant is seeking (i) special exception relief under §353.1 to construct multi-family buildings in the R-5-A Zone District and under §2516.1 to build more than one structure on one record lot, and (ii) area variance relief for the lot open area and setback requirements of §2516.4, and a number of provisions related to §2100’s parking requirements, including the number of parking spaces required under §2101.1, the minimum dimensions of parking spaces under §2115.1, the minimum parking area of parking spaces under §2115.10, and the grouping requirements for contiguous compact parking spaces under §2115.4.

The application package includes the following materials:

- BZA Form 120, Application.

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BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18037
EXHIBIT NO. 1

Board of Zoning Adjustment
4015761420
District of Columbia
CASE NO. 18037
EXHIBIT NO. 1

- BZA Form 135, Self Certification (Tab 2).
- A building plat, prepared by the D.C. Surveyor, showing the footprint of the existing and proposed structures on the Property (Tab 3).
- Letter from the owners of the Property authorizing Applicant and Pillsbury Winthrop Shaw Pittman to file the application and represent the owners in before the Board (Tab 4).
- The preliminary statement of the Applicant satisfying the burden of proof, including the statement of existing and intended use of the Property (Tab 5), including:
 - Architectural plans for the Property (Exhibit A);
 - Civil engineering plans for the Property (Exhibit B);
 - Sanborn plats with Property outlined in red (Exhibit C);
 - A zoning map with Property outlined in red (Exhibit D);
 - Photographs of the Property (Exhibit E).
- List of all tenants on the Property (Tab 6).
- List of names and mailing addresses (including mailing labels) of the owners of all property within 200 feet of the boundaries of the Property (Tab 7).

The Applicant requests a waiver from the Board's filing fees for this Application. In total, the filing fees would be \$11,200. This amount is comprised of the filing fee for the following components: \$5,600 for §353 relief (fourteen new units X \$500/unit) + \$1,600 for §2516 relief (\$1,200 for the first lot and \$400 for the second lot) + \$4,000 for the five areas of variance relief requested (at \$800 for each variance). Since the Project is an all affordable housing project, the Applicant is already operating from a limited financial basis. Further, this is a project supported, and awarded, by the District of Columbia Deputy Mayor of Economic Development¹.

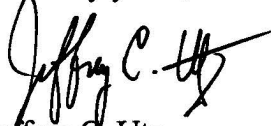
¹ Section 3042 of the Zoning Regulations provides for a waiver of hearing fees for similar cases before the Zoning Commission.

Indeed, a majority of the Property is currently owned by the District of Columbia. The Office of Planning was also supportive of a waiver of these filing fees. This filing fee figure seems high, particularly when the overlap of the requested relief is considered. All relief relates to three areas: §353, §2516, and §2100.

We believe that the application is complete and acceptable for filing, and we request that the Board schedule a public hearing on the application as soon as possible. If you have any questions, please do not hesitate to contact the undersigned at (202) 663-8715. Thank you for your attention to this application.

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely yours,



Jeffrey C. Utz

Enclosures

cc: Kevin Sadowski
Ron Schneck
Mark Stires

Certificate of Service

I certify that on December 10, 2009, I delivered a copy of the foregoing document via hand delivery or first class mail to the addresses listed below.



Jeffrey C. Utz

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