



## ADVISORY NEIGHBORHOOD COMMISSION 4C

[www.anc4c.org](http://www.anc4c.org)

Phone: 202-723-6670

Email: [4C@anc.dc.gov](mailto:4C@anc.dc.gov)

February 10, 2016

Vann-Di M. Galloway  
Chairman  
[Vann-Di.Galloway@anc.dc.gov](mailto:Vann-Di.Galloway@anc.dc.gov)  
202-545-8155  
SMD 4C06

Zachary Teutsch  
Vice Chairman  
[4C05@anc.dc.gov](mailto:4C05@anc.dc.gov)  
202-599-0915  
SMD 4C05

Michael Halpern  
Treasurer  
[4C04@anc.dc.gov](mailto:4C04@anc.dc.gov)  
202-378-8618  
SMD 4C04

Joseph Martin  
Secretary  
[4C09@anc.dc.gov](mailto:4C09@anc.dc.gov)  
202-309-1817  
SMD 4C09

John-Paul C. Hayworth  
Parliamentarian  
[4C07@anc.dc.gov](mailto:4C07@anc.dc.gov)  
202-277-2822  
SMD 4C07

Taalib-Din Uqdah  
[4C01@anc.dc.gov](mailto:4C01@anc.dc.gov)  
202-421-8945  
SMD 4C01

Maria Barry  
[4C02@anc.dc.gov](mailto:4C02@anc.dc.gov)  
Cell: 202-258-5031  
SMD 4C02

Elisa Irwin  
[4C03@anc.dc.gov](mailto:4C03@anc.dc.gov)  
202-930-5137  
SMD 4C03

Timothy A. Jones  
[4C08@anc.dc.gov](mailto:4C08@anc.dc.gov)  
202-722-0701  
SMD 4C08

Vacant (Effective 01/13/16)  
[4C10@anc.dc.gov](mailto:4C10@anc.dc.gov)  
SMD 4C10

Office of Zoning  
Government of the District of Columbia  
**Ms. Marnique Y. Heath, Chairperson**  
**BOARD OF ZONING ADJUSTMENT**  
441 – 4<sup>th</sup> Street, NW Suite 200S  
Washington, DC 20001

**RE: BZA Case #19189**  
**Letter of Opposition**

Dear Chairperson Heath:

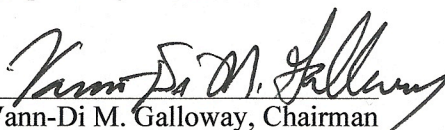
With respect to BZA Case #19189: application of Christopher R. Leary, pursuant to 11 DCMR § 3103.2, for a variance from the use requirements under § 320.3: to convert a one-family dwelling into a flat in the R-3 District at premises 5523-13<sup>th</sup> St., NW (Square 2933 Lot 24), **ANC 4C opposes the applicant's request** for his failure to follow-thru in withdrawing his application before the BZA, as promised in a December 28, 2015 e-mail – highlighted and attached – after determining it would be more cost effective to wait out the moratorium period for the city's new zoning rewrite, which effectively would allow the applicant the opportunity to convert his property into a flat, as a matter of right.

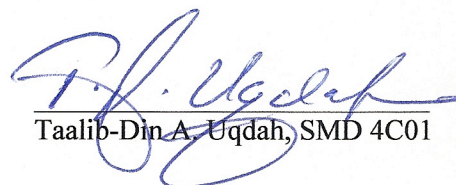
Between December 02, 2015 and December 28, 2015, there were several fruitful discussions between the applicant and myself, as his Single Member District (SMD) Commissioner, but in a final e-mail correspondence on the 28<sup>th</sup>, the applicant stated in part: *"I will submit a formal request to withdraw my request before the scheduled hearing date."*

As of the date, hereinabove written, that request to withdraw BZA Application #19189 has not been forthcoming. Out of an abundance of caution on Wednesday, February 10, 2016, at a properly noticed public meeting, held in a public forum, which required the presence of at least five (5) SMD Commissioners to constitute a quorum and that quorum being present, upon consideration of the above narrative and the applicant's attached e-mail, **concluded by a vote of eight (8) yeas and zero (0) nays, to oppose the applicant's request for a variance from the use requirements under § 320.3: to convert a one-family dwelling into a flat in the R-3 District at premises 5523-13<sup>th</sup> St., NW.**

And in a second vote of eight (8) yeas and zero (0) nays, appointed SMD 4C01 Commissioner Taalib-Din A. Uqdah, as the Commission's designee to represent the interest of ANC 4C before the BZA in the above referenced case.

Respectfully submitted,

  
Vann-Di M. Galloway, Chairman

  
Taalib-Din A. Uqdah, SMD 4C01

P.O. Box 60847  
Washington, DC 20039

801 Shepherd Street, NW Board of Zoning Adjustment  
Washington, DC 20011 District of Columbia  
CASE NO.19189  
EXHIBIT NO.27



Permit drawings

MICHAEL7 <christopher.leary45@gmail.com>

Mon 12/28/2015 8:29 PM

**To:**

Ugdah, Taalib-Din A. (ANC 4C01);

You replied on 1/28/2016 2:35 PM.

Yes Sir, this process is definitely one in the same as the one you informed me of. I will submit a formal request to withdraw my request before the scheduled hearing date.

And gain, thank you for all of your support.

Ugdah, Taalib-Din A. (ANC 4C01)

Mon 12/28/2015 8:20 PM

Good Evening Sir: What you're referring to, may be part of the same process I discussed with you during your initial call to me. This could be part of the city's Zoning Rewrite process that I told you about that had been going on since 2007. The only difference

Christopher.leary42@gmail MICHAEL7 <christopher.leary45@gmail.com>

Mon 12/28/2015 7:20 PM

Greetings Mr. Ugdah,

Happy Holidays to you and your family also.

Recently, a certain turn of events transpired within the District of Columbia as it pertains to accessory apartments. As of January 14, 2016, The District as a matter of right will legally allow this process. The actual bill will go into effect in the spring of 2016. All things considered, it would be more cost effective to allow the process to take its course, and avoid unnecessary legal fees connected with applying for and acquiring legal fees.

In conclusion, I would like to extend my gratitude to you and your office for the guidance up to this point. This process has been slow, confusing and costly. It was very refreshing to meet someone connected to DC, gov't with a carriage before the horse approach.

Thank you Mr. Ugdah,

Sincerely,

Christopher Leary

Opposition to BZA Case #

Christopher.leary42@gmail MICHAEL7 <christopher.leary45@gmail.com>

Mon 2/8/2016 8:58 PM

**To:** Ugdah, Taalib-Din A. (ANC 4C01);

Hello Mr. Ugdah,

My apologies for not reaching out to you.

I did speak to BZA, just w few days agom. I am considering transferring the request to the new owner. As of today I have decided to terminate the process completely.

I will cc you in my email to Mr. Varga from BZA.

Thank you for your assistance,

Mr. Leary

**FW: DCRA phone #**

Christopher.leary42@gmail MICHAEL7 <christopher.leary45@gmail.com>

Mon 2/8/2016 9:06 PM

**To:** Leary, Christopher (MPD);

**Cc:** Ugdah, Taalib-Din A. (ANC 4C01);

Dear Mr. Varga,

I received your email earlier today regarding the information I requested.

I am formally withdrawing my BZA for the proper known as 5523 13th, St, Nw, WDC 20011

P.S. I will cc Mr. Ugdah notifying him of my decision to terminate this process, so he does not have to appear on the hearing date in question.

Thanks you,

Mr. Leary