

March 8, 2019

Dear Board Members:

In response to the request for a written statement regarding the property owner's position regarding the set-aside requirements for the Inclusionary Zoning unit, we offer the following clarification:

Subtitle C § 1003 states the following:

1003.7 Notwithstanding Subtitle C §§ 1003.3, one hundred percent (100%) of inclusionary units resulting from the set-aside required for penthouse habitable space shall be set aside for eligible households earning equal to or less than fifty percent (50%) of the MFI.

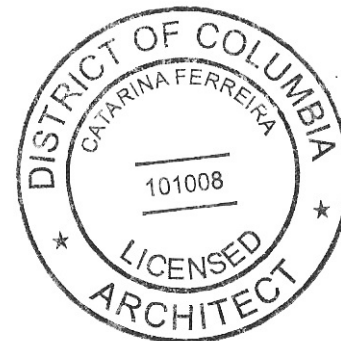
In their letter of support for this request for relief from the Board of Zoning Adjustments, ANC 4C requested that the owner "Reserve one unit in the building as an affordable unit for purchase or rent by a household making 80% or less of the Area Median Income (AMI), for at least 10 years."

Some of the documentation in the case records currently suggests that the Inclusionary Zoning unit will be set at 50% MFI, per 1003.7, given that the penthouse, which has a total area of 322 sq ft, contributes 32 sq ft to the IZ set-aside requirements. We request that property owner be allowed to have the option of contributing into the Housing Development Trust Fund, as permitted as an alternative to having the penthouse habitable space contribute to the Inclusionary Zoning calculations.

Additional conditions imposed by the ANC, and agreed to by the property owner, are as follows:

- Install permeable pavers for any driveway/parking pad, walkway, or patio surface to be installed
- Replace lead service line to property, if applicable
- During building construction, developers have agreed not to block the public alley at any time; to perform construction only during permitted hours; to promptly fix any damaged caused to neighbors' property by the construction crew, at the developer's expense; and to be available by phone and email to answer questions from neighbors."

Sincerely,



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Principal at ARCHI-TEXTUAL PLLC
Board of Zoning Adjustment
District of Columbia
CASE NO.19910
EXHIBIT NO.47