

November 18, 2020

**Via IZIS**

Board of Zoning Adjustment  
441 4th Street, N.W.  
Suite 210S  
Washington, DC 20001

**Re: Updated Materials- BZA Case No. 20290 - 421 T Street, NW**

Dear Members of the Board:

Please find enclosed an Updated Plat, Updated Plans, and an Updated Self-Certification. The Applicant has recently revised the plans and plat to match an updated civil survey. There are no substantive changes; only the minor adjustments described herein:

1. **Side Yards**: The side yard measurements have been updated to be consistent with the most recent civil survey. As a result, the eastern side yard measurement changed from 4 ft. 4 in. to 4 ft. 7 ¼ in. and the western side yard measurement changed from 4 ft. to 3 ft. 9 in. The proposed east side yard aligns with the existing east side yard. The proposed west side yard is larger than the existing west side yard and maintains minimum egress from the lightwell.
2. **Building Height**: The Applicant also reduced the proposed building height another 6 inches for a new proposed height of 32 feet and 1 inch.
3. **Lot Occupancy**: The proposed lot occupancy has been updated from 42.2% to 42.6%.
4. **Rear Yard**: The proposed rear yard has been updated from 47 feet to 48 ft. 2 ¾ inches.

The proposed project will also require a third-party, private trash company for trash collection. The Applicant plans to hire Tenleytown Trash for trash collection. The Applicant is providing trash storage at the rear of the Property, adjacent to the alley. The trash area measures 6.5 ft. x 21 ft. and will be enclosed by a 6-foot fence. It is the intention of the Applicant to provide trash collection as often as is necessary, but no more than necessary. Whether that is once a week or twice a week will be determined and revised, as necessary. Regarding access, the Applicant believes that the least impactful situation would be for the trash truck to pull into the alley, pick up trash, and back out of the alley. That will be confirmed in discussions with Tenleytown Trash.

On Friday November 13, 2020, Zoning Commission Order 19-21 was published in the D.C. Register; therefore, the revised U § 320.2 is now in effect. Exhibit 39B, the Applicant's Supplemental Burden of Proof, filed on October 19<sup>th</sup>, was written to reflect the amended regulations.

Respectfully Submitted,

*Martin P Sullivan*

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Martin P. Sullivan, Esq.  
Sullivan & Barros, LLP

**CERTIFICATE OF SERVICE**

I hereby certify that on November 18, 2020, an electronic copy of this Prehearing Submission was served on the following on behalf of the Applicant, Vitis Investments LLC.

Matthew Jesick  
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