



Government of the District of Columbia
**Advisory Neighborhood
Commission 6C**

July 11, 2024

Board of Zoning Adjustment
of the District of Columbia
441 4th Street, NW
Suite 210-S
Washington, DC 20001

Re: BZA 21145 (813 7th St. NE)

Dear Members of the Board,

On behalf of ANC 6C, I'm writing to inform you of several material defects in the submission, processing, and acceptance of this application. All these deficiencies involve failure to notify ANC 6C as required by the regulations.

Crucially, ANC 6C is an “affected ANC” in this case. The location at issue sits on our eastern boundary, directly across from single-member district 6C01. ANC 6C is therefore automatically a party to this proceeding. *See* §§ Y-101.8 & Y-403.5(b).

Because ANC 6C is an “affected ANC,” the applicant and the Office of Zoning were required to provide multiple forms of notice to us but failed to do so. These omissions include the following:

- Under section Y-300.11(b), the applicant was required to serve a copy of the application on ANC 6C and to include in the application a certificate of service to that effect. **No such service was made and no such certificate of service appears in the case file.**
 - DCOZ should not have accepted the application as complete considering this omission. *See* § Y-300.11 (“No application shall be accepted unless accompanied by a certificate of service”).
- Section Y-300.8(l) required the application to include “[a] statement of the efforts that have been made to apprise the affected ANC.” **The filed statement of intent to contact, Exhibit 11, references only ANC 6A. Moreover, the applicant did not contact us or make any effort to do so.**
 - DCOZ should not have processed the application considering this deficiency. *See* § Y-300.2 (“No special exception or variance application shall be processed until the application is complete”).

Board of Zoning Adjustment
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CASE NO.21145
EXHIBIT NO.23

- Section 400.4(b) required DCOZ, upon acceptance of the application, to send ANC 6C a notice of filing “with a copy of the application form” **No such notice was provided.**

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Eckenwiler", with a stylized flourish at the end.

Mark Eckenwiler
Chair, ANC 6C

Cc: Eric Teran (for applicant)
Office of Planning
Office of Zoning

(all by email)