

**ZRR CASE NO ZRR 08-06A
SUPPLEMENTAL TESTIMONY
SEPTEMBER 15, 2014**

Notifying Adjacent ANC's

The Carter Barron East Neighborhood Association (CBENA /16th Street Heights) believes the community could benefit from a change in the procedural BZA regulations to require the Director to notify adjacent Advisory Neighborhood Commission, where the property owners within the 200 foot radius fall in different Advisory Neighborhood Commissions. A similar policy exists at the Alcoholic Beverage Regulation Administration. The CBENA community has recently experienced issues in BZA Case 18850 where the applicant's property borders ANC4A and ANC4C. Impacted property owners in the ANC in which the applicant's property is not located should have the same rights to notification, information and status in the case.

3113.13 Notice of the public hearing shall be given by the Director not less than forty (40) days before the date of the hearing by:

- (a) Publishing the notice in the D.C. Register;
- (b) Mailing the notice to the applicant and to the owners of all property within two hundred feet (200 ft.) of the property involved in the application; provided, however, in the case of a residential condominium or cooperative with twenty five (25) or more dwelling units, mailed notice may be provided to the board of directors or to the association of the condominium or cooperative that represents all of the owners of all the dwelling units;
- (c) Mailing the notice to each person having a lease with the owner for all or part of any building located on the property involved in the application;
- (d) **Mailing and sending an electronic notice to the ANC for the area within which the subject property is located and the ANC which represents any property owner within two hundred feet of the property involved in the application**
- (e) Posting the calendar of cases to be heard by the Board in the Office of Zoning.

Electronic Notifications

The Commission should also incorporate electronic notices to the ANC Commissioner, which it is authorized to do , even if they still uses first class mail as more easily tracked and verified. It currently has this authority”

3115.4 Any notice required by D.C. Official Code § 1-309.10(c)(4) to be provided to affected Advisory Neighborhood Commissions, the Commissioner representing the affected single member district **or districts**, and the Office of Advisory Neighborhood Commissions (“notice recipients”) may be provided by electronic or first-class mail; provided, that the notice shall be by first-class mail unless a notice recipient agrees in writing to receive future notifications through electronic mail.

It makes sense with today's technology to also incorporate electronic notices particularly given that ANCs are unpaid volunteers with limited support staff. An electronic notice could serve to alert the Commissioners as to the mailed document, particularly if the document or notice is not being mailed to the Commissioners residential address.