

57TH STREET MEWS, INC
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March 19, 2015

Anthony Hood
Chairperson
DC Zoning Commission
441 4th Street NW, Suite 220S
Washington DC 20001

Re: ZC No. 14-20

This letter is written in reference to the request for a Map amendment for the listed properties in ZC No. 14-20 filed by ANC 6A and subject to public hearing before the Commission today. My name is Taiwo Demuren, and I am, as the sole officer of 57th Street Mews, Inc, the owner of 1511 A Street NE, which is property legally described as lot 94 in the records of the DC Surveyor's office.

Although I have had informal notice of the impending action- I did not receive formal notice of this impending action from the office of Zoning (OZ) as required by pertinent regulation, although 57th Street Mews Inc's business address is public record - I have refrained from objecting to the proposed map amendment as it relates to my property on the basis of competent zoning advice, and lately Zoning Administrator confirmation, that the downzoning does not retroactively apply to a proposed development on my property in accordance with the vesting provisions of the Zoning Regulations, for which permit issuance has been pending since June 2013, close to two years since applying for a building permit.

There is no gainsaying in stating that ANC 6A's motivation in filing this request for a map amendment is the objective of permanently frustrating the pending project, which is the matter of right development of my property into an 18-unit for-sale condominium dwelling units under its current C-2-A zone district, in the belief that the proposed more restrictive zone district can be made retroactively applicable. This conclusion is underscored by ANC 6A's letter to DCRA (attached); my meetings with ANC 6A and related correspondences, aggrieved/concerned neighbors, and Office of Planning's lack of definitive response to specific questions posed by Chairman Hood and at least two other members in the course of the setdown hearing, relating to the vesting provisions of the Zoning Regulations, as they apply specifically to the pending project on my property.

The Commission rightfully pointed to the fact that all stakeholders in the District, citizens, homeowners, investors and developers alike must have confidence in the protection of their investment based in the subsisting and current zoning of properties they invest in and the

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potential thereof. Without prejudice to the merit of proposed map amendment as it affects all other stakeholders, post-map amendment, such agenda driven and ad-hoc approach to rezoning properties in the District does not serve the purpose and intent of the Zoning Regulations and Zoning Maps, nor the District's economic development interest.

It is public record that I paid \$1.5 million to acquire the subject property in July 2, 2013, and incurred approximately \$250,000.00 in the close to two years and counting that it is taking to extricate or obtain a permit from DCRA, although I am glad to state for the record that the Zoning Administrator has finally approved the project for zoning.

The purpose of my written submission and testimony given all the foregoing is to put in the public domain, for posterity's sake, the definitive position of the ZC on the applicability of the vesting provisions of the Zoning Regulations in the circumstance, to discourage this single-agenda and ad-hoc approach to the amendment of the DC Zoning Map. To this end, I hope that the ZC will compel OP to provide a more definitive and conclusive testimony to the record than preferred in the letdown hearing. In the alternative, perhaps counsel for the ZC will avail the ZC on the applicability of the vesting provisions as future guidance to all interested parties.

Thank you for the opportunity to testify and/or accepting this letter to the case file.

Respectfully,



Taiwo Demuren
President
57th Street Mews, Inc.

Commission Letters of December 11, 2014 Meeting

District of Columbia Government
Advisory Neighborhood Commission 6A
Box 75115
Washington, DC 20013



December 29, 2014

Mr. Rabbiah Sabbakhan
Director, Department of Consumer and Regulatory Affairs
100 4th Street, SW.
Washington, DC 20024

Re: Request to Suspend Processing of Construction Permit Applications on Square 1070

Dear Director Sabbakhan,

On December 18, 2014, the Zoning Commission voted to hold a public hearing on ANC 6A's application for a Map Amendment for Square 1070; Z.C. Case No. 14-20 (ANC 6A Map Amendment @ Square 1070). ANC 6A has requested that fourteen (14) lots (Lots 38, 39, 73-76, 80-86 and 94) within Square 1070 be rezoned from the current C-2-A District to the R-4 District. The properties that are the subject of our request are 15-31 15th St NE, 1505-1511 A St NE and Alley lot 73.

At a regularly scheduled and properly noticed meeting¹ on December 11, 2014, our Commission voted 6-0-0 to request that the Department of Consumer and Regulatory Affairs (DCRA) suspend the processing of all construction permit applications for lots 38, 39, 73-76, 80-86 in Square 1070, except for applications relating to matter of right construction in an R-4 District, until the Zoning Commission has made a final decision on our Commission's request for a Map Amendment (Z.C. Case No. 14-20).

¹ ANC 6A meetings are advertised electronically on the listserves anc6a-announce@yahoogroups.com, anc6a@yahoogroups.com and newhilleast@yahoogroups.com, at www.anc6a.org, and through print advertisements in the Hill Rag.

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Box 75115
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Our Commission wishes to preserve the integrity and quality of the residential nature of the neighborhood, and to preserve the historic architecture of the square and the surrounding neighborhood. In the event that the Zoning Commission grants our request to rezone the fourteen lots to the R-4 District, any construction undertaken from this point forward, that does not conform with R-4 zoning, would be incongruent with the goals of the Zoning Commission and of ANC 6A. It is for this reason that our Commission requests that DCRA suspend the processing of all construction permit applications that do not conform to R-4 zoning for those lots that are the subject to our Map Amendment request.

On behalf of the Commission,

Nicholas Alberti