

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF ZONING
441 4th STREET, N.W. SUITE 200-S/210-S
WASHINGTON, D.C. 20001

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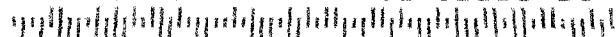
Sq. 2848 Lot 2146
STEVEN F CUMMINGS
1390 KENYON ST NW APT 530
WASHINGTON, DC 20010-2306

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ZONING COMMISSION
District of Columbia
CASE NO.14-24
EXHIBIT NO.45

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

2015 DEC 11 AM 9:59

TIME AND PLACE: Monday, December 7, 2015, @ 6:30 p.m.
Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220-South
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 14-24 (1900 11th Street NW, LLC — Map Amendment @ Square 2848, Lots 39, 40, 72 and 838 and Variance Relief from the Required Size of Parking Spaces @ Lots 39 and 40)

THIS CASE IS OF INTEREST TO ANC 1A

On December 23, 2014, the Office of Zoning received an application from 1900 11th Street, NW, LLC (the “Applicant”). The Applicant requested approval of an amendment to the Zoning Map to rezone property located on Lots 39, 40, 72, and 838 in Square 2848 from the R-4 Zone District to the R-5-B Zone District in order to construct a five story apartment building with eight apartments on Lots 39 and 40¹.

The R-5-B Zone District permits matter-of-right moderate development of general residential uses, including one-family dwellings, flats, and apartment buildings.

The R-4 Zone District permits matter-of-right development of one-family residential uses (including detached, semi-detached, row dwellings, and flats), churches and public schools. It does not permit new multi-family residential development as a matter-of-right.

The Office of Planning provided its report on January 30, 2015, and the case was set down for hearing on February 9, 2015. On July 13, 2015 the Applicant requested to amend the application to include variance relief from the required size of parking spaces required under 11 DCMR § 2115.1. The Zoning Commission considered the request at its July 27, 2015 public meeting and voted to grant permission to amend the application to include the variance relief. The Applicant provided its prehearing statement on October 1, 2015.

The property that is the subject of this application consists of approximately 19,768 square feet of land area currently configured as four separate lots and is located at 1368 Kenyon Street, N.W. (Lot 39 – currently vacant property), 1370 Kenyon Street, N.W. (Lot 40 – currently vacant property), 1372 Kenyon Street, N.W. (Lot 838) and 1361 Irving Street, N.W. (Lot 72).

¹ Although this is the Applicant’s intended use for the property, the grant of this application would permit the property to be used for any use permitted in an R-5-B Zone District.

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Proposed amendments to the Zoning Regulations and Map of the District of Columbia are authorized pursuant to the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797; DC Official Code Section 6-641.01 et. seq.).

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Zoning Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at dcoz@dc.gov or at (202) 727-6311.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than 14 days prior to the date set for the hearing, a Form 140 — Party Status Application, a copy of which may be downloaded from the Office of Zoning's website at: <http://dcoz.dc.gov/services/app.shtm>.** This form may also be obtained from the Office of Zoning at the address stated below.

If an affected Advisory Neighborhood Commission (ANC), pursuant to 11 DCMR 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited in § 3012.5 (a) through (i). The written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.

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All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail (donna.hanousek@dc.gov), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System ("IZIS") at <http://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT E. MILLER, PETER G. MAY, AND MICHAEL G. TURNBULL ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.