

September 25, 2026

VIA IZIS

Anthony J. Hood, Chairman
Zoning Commission for the District of Columbia
441 Fourth Street, NW, Suite 200S
Washington, DC 20001

Re: Petition for a Text Amendment to Subtitle C, Section 302.2 and Subtitle A, Section 301.3 of the Zoning Regulations

Dear Chairman Hood and Commissioners:

We hereby submit this petition (the “**Petition**”) for a text amendment to Subtitle C, Section 302.2 and Subtitle A, Section 301.13 of the Zoning Regulations pursuant to Subtitle X, Section 1300, and Subtitle Z, Section 305. We also respectfully request that the Commission adopt this amendment on an emergency basis.

The proposed amendment will resolve a discrepancy between the Zoning Regulations, which expressly allows for a record lot subdivision to rely on access via a public access easement, and the Subdivision Regulations, which do not expressly allow for such subdivision, and allow the development of a 12-acre tract in the North Michigan Park neighborhood with 166 new for-sale, semi-detached single-family homes to proceed.

Along with this letter, attached are the following:

Exhibit A – Letter of Authorization

Exhibit B – Proposed Text Amendment

Exhibit C – Statement of the purposes and objectives of this Petition, Conditions necessitating the emergency, and Consistency with the Comprehensive Plan

Exhibit D – Project Image

Exhibit E – Site Plan, Proposed Theoretical Lot Subdivision, and Public Access Easement

Exhibit F – OP Large Tract Review Report 2025-01 regarding the Project (including DDOT recommendation)

Exhibit G – Zoning Administrator Confirmation of Project Compliance (with detailed drawings and tabulations of zoning compliance)

Exhibit H – FEMS Letter in Support

Exhibit I – ANC 5A Letter in Support

A check made payable to the DC Treasurer in the amount of \$325.00 will be delivered under separate cover to the Office of Zoning and Form 102: Petition for Text Amendment will be filed electronically via IZIS.

The Petitioner respectfully asks the Commission at its earliest opportunity to schedule this Petition for hearing action consideration as a rulemaking pursuant to Subtitle Z, Sections 500.5 and 500.13. As noted above, the Petitioner also requests the Commission consider taking emergency action to resolve the discrepancy promptly, as the Petitioner has financing in place and is scheduled to close the transaction in November after multiple delays; the discrepancy must be resolved to allow the transaction to close and development to proceed.

Thank you for your attention to this petition.

Respectfully submitted,

/s/ David M. Avitabile

/s/ Shane Dettman

Enclosures

Certificate of Service

I certify that on or before September 25, 2026, I delivered a copy of the foregoing document and attachments via e-mail as indicated below.

/s/ David Avitabile

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