

January 28, 2016

Via IZIS

Marnique Y. Heath, Chairman
Board of Zoning Adjustment
441 4th Street, NW
Suite 210S
Washington, DC 20001

Re: BZA Appeal No. 19067 of ANC 4C; 1117 Allison Street, NW; Submission of Affidavit Regarding Cancellation of Permit.

Dear Chairperson Heath and Members of the Board:

I am writing on behalf of the property owner, Allison Street LLC (the "Owner") in BZA Appeal No. 19067 (the "Appeal"), to submit the attached affidavit from the principal of the Owner, Mr. Khalid Alizzi. This affidavit explains Mr. Alizzi's reasons for applying for, and then canceling, Building Permit No. B1603100, which was referred to by the Board at the January 19 decision meeting – and also referred to herein - as the "December Permit."

Mr. Alizzi was unaware that filing such a reasonable permit revision to improve the currently approved design would complicate the pending Appeal. Discovering that it may complicate the Appeal, he has therefore decided to cancel the December Permit, in order to keep the status quo of constructing what was originally approved in Building Permit No. B1505734.

At the January 19 decision meeting, the Board did not specify a deadline for responding to the Appellant's submission of Exhibit 71 (a challenge to the December Permit). It did discuss a requirement of a seven (7)-day minimum for parties to respond. To the extent that there is confusion about any expected filing deadline for the Owner's response, we request acceptance of this affidavit.

Sincerely,



Martin P. Sullivan

cc: ANC 4C
Maximilian Tondro
Lyn Abrams


AFFIDAVIT OF KHALD ALIZZI

1. My name is Khalid Alizzi. I am over 18 years of age and I am competent to testify to the matters contained in this affidavit which are based on my personal knowledge.
2. I am the Managing Member of Allison Street LLC (“Allison LLC”), a District of Columbia limited liability company, and the owner of the property located at 1117 Allison Street, NW in Washington, DC (the “Property”) and the improvements thereon (the “Building”).
3. Allison LLC purchased the Property on October 21, 2015, at which time Allison LLC took title to the Property as well as to all building permits and approved plans regarding a proposed addition to the building on the Property (the “Addition”), including Building Permit No. B1505734 (the “Building Permit”), which is the subject of Appeal No. 19067 (the “Appeal”) before the D.C. Board of Zoning Adjustment (the “BZA”).
4. Allison LLC purchased the Property after the Addition was already designed and entitled, and I believed that the design of the Addition could be improved. I also assumed that such design improvements would be welcomed by adjacent neighbors and the Appellant in the BZA Appeal. I did not consult with my attorney and I did not consult directly with the Zoning Administrator about these changes. I did not realize that making such changes, even if they were positive changes, might disrupt the Appeal proceedings.
5. Allison LLC applied for and received Building Permit No. B1603100 (the “Permit Revision”). I understand that one or more of the parties to the Appeal has now included the Permit Revision in the Appeal.
6. My intent in applying for the Permit Revision was to be able to improve the appearance of the Building by retaining the covered porch - which matches the abutting properties – and by keeping the existing front façade and elevation. Such changes would not only have improved the appearance of the Building by keeping its consistency with the other homes on this block (compared to what is currently approved in the Building Permit), but it would lead to less interaction with the Building’s party wall with Ms. Abrams’s property. It also would have reduced the footprint of the Addition at the rear of the Building.
7. It appears that there may have been a mistake made in calculating the lot occupancy for the Permit Revision. This could have easily been corrected simply by further reducing the size of the decks at the rear of the Building.
8. After discovering last week that the Permit Revision had been included in the Appeal, I have decided to cancel the Permit Revision altogether, which DCRA has accepted and processed. Therefore, the Building Permit and underlying plans now before the BZA are the same permit and plans in place at the time of the BZA hearing on the Appeal. Those plans, as noted even by the Appellant’s expert, provide a lot occupancy percentage under sixty percent (60%).
9. I take pride in my building designs and my execution of construction projects, but I understand that it would be much cleaner for the BZA to be able to rule on the Appeal

without having to consider the Permit Revision or any challenge of the Permit Revision, and I wish to keep this project moving forward.

10. Attached as Exhibit A to this Affidavit is a copy of the document evidencing the cancellation of the Permit Revision.

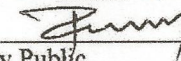
I hereby swear or affirm under penalties of perjury that the foregoing statements are true.


Khalid Alizzi

DISTRICT OF COLUMBIA) ss:

I, RAJESH S PERIYAPATNA, a Notary Public in and for the jurisdiction aforesaid do hereby certify that Khalid Alizzi, who is personally well known to me, personally appeared before me in the jurisdiction aforesaid and acknowledged said instrument to be his act and deed.

WITNESS my hand and official seal this 26th day of January, 2016.


Notary Public

[Notarial Seal]

My commission expires: FEB 29, 2016



Rajesh S Periyapatna
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #349166
My Commission Expires
February 29, 2016

Government of the District of Columbia
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS



Date: January 28, 2016

To: Khalid Alizzi

From: Gary Englebert, Deputy Permit Division Chief

Subject: Cancellation of Permit #B1603100

Mr. Alizzi,

This letter is to confirm cancellation of permit # B1603100 for 1117 Allison Street NW, Washington DC, 20011. We have updated our records accordingly to reflect this cancellation.

Gary Englebert.

Gary W. Englebert, CBO, MCP
Deputy Division Chief, POD
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