

# NAYLOR DUPONT

## Advisory Neighborhood Commission 7B

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June 14, 2018

Clifford W. Moy  
Secretary  
Board of Zoning Adjustment  
441 4<sup>th</sup> Street, NW  
Room 200 South  
Washington, DC 20001

RE: 2604 29<sup>th</sup> Street SE Washington, DC 20020 – Application #19787:  
***Special Exception for Zoning Relief***

ANC Request for a postponement of the June 27, 20018 BZA Hearing in the matter of 2604 29<sup>th</sup> Street, SE

As the SMD Commissioner for this location I am requesting a postponement of the upcoming scheduled hearing in this matter for the following reasons:

**Most important is 1<sup>st</sup>**, I did not receive notification from the BZA in this mater, I received notification on June 5<sup>th</sup>, 2018 from an impacted constituent of this application being set for a hearing on June 27, 2018.

**Second**, I immediately contacted the BZA on June 6, 2018 at 9:20am and left messages for both Mr. Moye and Ms. Rhodes to return my phone call. However, when they did not return my calls, I called back the same day and spoke with Alexandra at which time I told her of me not receiving a letter from the BZA notifying me of the June 27<sup>th</sup> hearing date for this application.

**Third**, On June 6<sup>th</sup> I told Alexandra that **I had not been contacted by the applicant** as of June 6, 2018 to discuss this matter. I also told her that I felt it was not the responsibility of the ANC to locate, contact, or reach out to any applicant who has filed an application with the BZA or the Zoning Commission as

Mr. Moye's letter dated May 14, 2018 stated. That is not our role as elected ANC's. I also shared with Alexandra that more than 80% of the ANC Commissioners work full time and having to attend day meeting causes us to have to use annual leave, in comparison to the Zoning Commission who holds its hearing in the evenings. I don't know of any ANC's that hold meetings during the day. Too, impacted residents may want to attend BZA meetings pertaining to ANC's and thus holding BZA meetings in the day may not be convenient for all to attend in person. I see this scheduling creating a true loss for any contributing vocal testimony on behalf of impact DC residents to be considered.

**Fourth**, there are 32 listed impacted residents living within 200 feet of the location for this property. The applicant's attorney has had the opportunity to send notices of their intent to request a *special exception*. However, I have not had an opportunity to engage my constituents in this matter. Therefore, I would like to be given the opportunity to be able to organize a meeting with these impacted residents, who are my SMD constituents, to gather their input which I will then compile and submit to the BZA in the ANC letter that will be submitted to the BZA. I will have to plan a date and location for the meeting and then notify these residents of a meeting for them to attend. Given my past history of organizing SMD meetings, and taking into consideration my efforts will be done part time in trying to organize a meeting, I project that I can accomplish organizing this meeting within 45 days or the end of July 2018.

**Fifth**, the applicant's representative (Kim) contacted me on June 7, 2018 at 6:30pm to request the opportunity to meet with me. I told Kim that ALL presenters/speakers for our ANC 7B Community meetings are scheduled at least two (2) to three (3) months in advance for the reason that we have to invite and then schedule these speakers based on their availability. I asked Kim why the applicant/owner had not contacted me last month, in May 2018 when the application was filed. She stated that she had just be asked to contact me as May 25, 2018. I found it curious that I received a phone call from Kim, the applicant's representative, requesting to meet with me now **after** I had contacted the BZA. **Not Until the evening of June 7<sup>th</sup> 2018, and after speaking with Alexandra(at the BZA), I had not been contacted by this applicant.**

**Sixth**, in taking the initiative to review the BZA electronic file (because I had no documentation of this applicant) I noted that none of the correspondence in this matter has my name on it, unlike the letters sent by the BZA to the City Council members whose name appear on correspondence sent to them. Therefore, I do not know who, if anyone, in 7B received the notice of this hearing. When I asked the Commissioners, each of the six (6) Commissioners stated they had not seen nor had they received a notice in this matter from the BZA. In fact once I did see a copy of the hearing notice in the BZA file dated May 14, 2018 from Clifford Moy, it was merely addressed to "ANC 7B 3200 S Street, SE Washington, DC 2002 to the attention of the Chair. It should have been addressed to the impacted and affected SMD Commissioner in this matter. That is how

Commissioners know readily whose SMD a matter is referencing. Then the matter can be shared with the entire ANC as needed. It is not the Chair's responsibility to manage matter of SMD's.

Base on the legitimate concerns I has stated and on behalf of ANC 7B and on behalf of my constituents residing in the impacted area of this proposed project, I am requesting a postponement of a hearing until after July 31, 2018 for this application to be heard by the BZA. For your records, the ANC meetings are held every 3<sup>rd</sup> Thursday of each month 12 months a year.

Respectfully submitted,

*Robin Hammond Marlin*

Commissioner Robin Hammond Marlin  
SMD 7B05  
Immediate Past Chair, ANC 7B

Original copy to be mailed.