

October 16, 2020

Via IZIS

Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210S
Washington, DC 20001

Re: Updated Materials-Amended Request - BZA Case No. 20290 - 421 T Street, NW.

Dear Members of the Board:

Enclosed are revised plans and plat along with an updated Statement detailing (i) the withdrawal of certain variance and special exception requests, and (ii) the Application's discussion of a pending amendment to Section U-320.2, and how the Application meets that revised criteria. The Applicant is requesting to amend the application as follows:

(1) Withdraw the Request for Variance Relief from the 900-Foot Rule: The Applicant originally requested relief to convert the existing single-family dwelling to 11 residential units. The property has 7,870 square feet of land area which would allow for up to eight (8) residential units as a special exception pursuant to U-320.2. The Applicant is reducing the number of proposed units to seven (7) units and therefore no longer needs variance relief from the 900-foot rule.

(2) Withdraw the Request for Special Exception Relief from the Height Requirement: The Applicant originally requested special exception relief from the height requirements of E § 303.1 in order to construct an addition measuring over thirty-five feet (35 ft.) in height. The Applicant is now proposing a height of less than thirty-five (35) feet. Accordingly, height relief is no longer required.

(3) Supplemental Burden of Proof Discussion: Pursuant to this Amendment, the only remaining request is for special exception relief pursuant to the U § 320.2 for the conversion of an existing residential building. On September 14, 2020, the Zoning Commission took final action to approve ZC Case No. 19-21, which substantially alters Section U-320.2. As of today, the Notice of Final Rulemaking has not been published in the D.C Register, and the revised Section U-320.2 is not yet effective. Therefore, as of today, the arguments included in the Applicant's original Applicant's Statement, BZA Exhibit No. 10, stand as the relevant burden of

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proof statement (minus the herein-withdrawn requests for relief).

However, if the Notice of Final Rulemaking is published in the D.C. Register prior to a vote by the Board to approve this Application, then the new Application will be subject to the amended Section U-320.2. Acknowledging this possibility, the Applicant has included within the attached Statement a discussion of how the Applicant meets its burden of proof under the amended U-320.2.

Respectfully Submitted,

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