

March 29, 2021

**Via JZIS**

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

**Re: Prehearing Submission - BZA Case No. 20429 – 411 New Jersey Avenue, SE**

Dear Members of the Board:

On behalf of the Applicant, enclosed are updated plans, shadow studies (pp.27-29 of the plans), a plat, and a revised-self certification. The following changes or clarifications have been made to the application, requiring updated materials enclosed above:

- **Removing request for Rear Yard Relief:** The Applicant is removing its request for rear yard variance relief and is instead obtaining a minor deviation from the Zoning Administrator's office as part of the permit process. A deviation of 1 foot is permitted in this case,<sup>1</sup> resulting in a 19-foot rear yard. As a result, the Applicant is no longer seeking rear yard relief, and the degree of relief for the ten-foot rule decreased to 11 feet (21 feet past only adjoining building). The Plans, Plat, and Self-Certification have been updated accordingly.
- **Shadow Studies:** Shadow Studies are enclosed and demonstrate that the light and air available to the only adjoining property to the south will not be impacted at all by the additional 11 feet past the matter-of-right requirement. This is because of the orientation of the lots, the location of the sun relative to the buildings, and the distance between the additional 11 foot-portion of the proposed Building relative to the building to the south. All shade impact falls to the north, on the railroad tracks.
- **ANC Support:** The Applicant presented to the ANC's Planning and Zoning Committee on March 2, 2021 and to the Full ANC on March 9, 2021, where the Project received unanimous support from ANC 6B as reflected in their submitted report (Exhibit 30). This is the only change being made to the plans presented to the ANC (reduction of relief and removal of another area of relief). Accordingly, no parties shall be prejudiced by this filing and change to the Application.

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<sup>1</sup> Subtitle A § 304.2... (c) Deviations not to exceed the lesser of ten percent (10%) or twelve inches (12 in.) of the linear requirements governing minimum rear yard, minimum side yard, and court width.

Respectfully Submitted,

*Martin P Sullivan*

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Martin P. Sullivan, Esq.  
Sullivan & Barros, LLP

*Alexandra Wilson*

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Alexandra Wilson, Esq.  
Sullivan & Barros, LLP

**CERTIFICATE OF SERVICE**

I hereby certify that on March 29, 2021, an electronic copy of this Supplemental Submission was served on the following on behalf of the Applicant, MADM DEVELOPMENT LLC.

D.C. Office of Planning  
Crystal Myers  
[crystal.myers@dc.gov](mailto:crystal.myers@dc.gov)

Advisory Neighborhood Commission 6B

ANC Office  
[6b@anc.dc.gov](mailto:6b@anc.dc.gov)

Brian Ready, Chairperson  
[6B03@anc.dc.gov](mailto:6B03@anc.dc.gov)

Jennifer E. Samolyk, SMD  
[6B01@anc.dc.gov](mailto:6B01@anc.dc.gov)

Corey Holman, P&Z Committee Chair  
[6B06@anc.dc.gov](mailto:6B06@anc.dc.gov)

Respectfully Submitted,

*Martin P Sullivan*

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Martin P. Sullivan, Esq.  
Sullivan & Barros, LLP

*Alexandra Wilson*

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Sullivan & Barros, LLP