

	<p align="center">ADVISORY NEIGHBORHOOD COMMISSION 3C GOVERNMENT OF THE DISTRICT OF COLUMBIA <i>CATHEDRAL HEIGHTS • CLEVELAND PARK</i> <i>MASSACHUSETTS AVENUE HEIGHTS</i> <i>MCLEAN GARDENS • WOODLEY PARK</i></p>
<p>Single Member District Commissioners 01-Lee Brian Reba; 02- Gwendolyn Bole; 03-Jeffrey Kaliel 04- Vacant; 05- Margaret Siegel; 06-Carl Roller 07- Victor Silveira; 08-Catherine May; 09-Nancy MacWood</p>	<p align="right">3601 Connecticut Avenue, NW Suite L-06 Washington, DC 20008 Website http://www.anc3c.org Email all@anc3c.org</p>

ANC 3C Resolution No. 2014-036
Regarding Special Exception for Zoning Relief for a two-story addition
Board of Zoning - Application No: 18886
2709 36th Street, NW

Whereas, on September 22, 2014, the owners of 2709 36th St. NW filed an application with the Board of Zoning Adjustment (“BZA”) (Tracking number 18886) for special exception zoning relief for lot occupancy and side yard set back to permit 44% lot occupancy, a non conforming side yard and a two story rear addition; and

Whereas, this property is zoned R-1 which permits 40% lot occupancy and the proposed allowance for 44% lot occupancy represents a 10% increase over that permitted by law; and

Whereas, this application for zoning relief comes after the owners have substantially completed the construction over the past nine months and for all or most of that period, if not longer, were aware that the project did not conform to zoning regulations; and

Whereas, this application has been placed on the expedited hearing calendar which does not allow for public hearing or neighborhood input; and

Whereas, the ANC and the immediate neighbors were notified of this application only after October 6, 2014, and have had only limited time to respond to the application; and

Whereas, there is considerable neighborhood concern about the accuracy of the assertions in the application and the potential precedent that might be set by permitting this application to, in effect, grant a use inconsistent with the zoning law retroactively and without public comment; and

Whereas, in addition to exceeding lot occupancy and other zoning issues, the neighborhood has concerns about the effect of the addition on light and air, the privacy of surrounding neighbors, the substantial visual intrusion of the addition upon the character, scale and pattern of adjoining houses, as well as the health and safety of a special street tree not depicted on the submitted drawings and whose critical root zone appears to have been adversely impacted by the construction:

Be It Therefore Resolved that ANC3C requests that BZA Application be removed from the expedited calendar to permit a full public hearing to allow neighborhood input; and

Be It Further Resolved that ANC3C commits to sending a representative to offer testimony at the public hearing, and

Be It Further Resolved that the Commissioner of ANC3C08, the Chair or their designee is authorized to represent the Commission on this issue and offer testimony at the hearing.

Attested by

A handwritten signature in blue ink, appearing to read 'Carl Roller', written in a cursive style.

Carl Roller

Chair, on October 20, 2014

This resolution was approved by voice vote of 7-0 on October 20, 2014 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 8 commissioners) was present.