

**REPORT OF THE ECONOMIC DEVELOPMENT AND ZONING  
COMMITTEE OF ANC 6A  
January 15, 2008**

Present: Commissioners: Raphael Marshall

Resident Members: Drew Ronneberg, Annie Swingen, Linda Whitted, Barbara Halleck

Drew Ronneberg chaired the meeting.

**Community Comments**

None

**Status Reports**

**Vacant Properties.** Drew Ronneberg reported that the committee will need a new point of contact for vacant properties because of Heather Scott's resignation

**Historic District Expansion/Creation.** Annie Swingen reported that the ANC has conditionally supported a \$4000.00 grant to be applied toward the surveying of H Street between 8<sup>th</sup> and 14<sup>th</sup> Street, NE. Additionally, CHRS has agreed to match the ANC grant for survey work. The surveying process of the Rosedale and Barney Circle neighborhoods is scheduled to be completed by March 1, 2008.

**1383-1835 H St NE.** Drew Ronneberg reported that the BZA granted the requested relief (2 variances & 2 specials exceptions) and that Mr. Robbins was planning on commissioning detailed drawings and applying for building permits.

**1113-1117 H St NE.** Drew Ronneberg reported that the group lead by Mr. Stan Wall won the NCRC RFP. Mr. Wall, who was in attendance at the meeting, pledged to work with the ANC on the design of the new structure. He also said that there would be 10 residential units in the new structure with 2 meeting the District's standard for affordability.

**Condo Conversion and Warranties.** No updates.

**Old Business**

None

**2008 ED&Z Committee Goals**

The Committed adopted the following goals on a unanimous vote:

1. Provide a regular public forum for Commissioners and residents to obtain information and discuss land use issues in the ANC 6A area or that affect the ANC 6A area.
2. Review and report to the ANC on all significant activities by the Board of Zoning Adjustment, Zoning Commission, Historic Preservation Review Board, Office of Planning, National Capital Planning Commission, and other agencies that affect land use in the ANC 6A area.

3. Make timely recommendations to the ANC that permit informed participation in city decisions on zoning, historic preservation, economic development, and other topics related to land use in the ANC 6A area.
4. Monitor public and private development activities on H Street NE for consistency with the Strategic Development Plan and Neighborhood Commercial Overlay.
5. As needed, schedule speakers from city or federal agencies who can address the interests or concerns of residents related to land use in the ANC 6A area.
6. Work with the Transportation and Public Space Committee to systematically collect and report all
  - a) vacant and nuisance properties,
  - b) building permit violations and
  - c) public space violations.
7. Major topical focus areas will be:
  - a) Historic District creation/expansion
  - b) Insuring that of the redevelopment of the H Street Connection site (800-1000 H St NE) consistent with Commission guidance
  - c) Insuring that ANC 6A vacant properties are on the DCRA vacant property list and that occupied properties are removed from the list.
  - d) Developing condo warrantee legislative proposals that close loopholes in the current system.
  - e) Participating in the process of rewriting the DC Zoning Code
  - f) Making sure DCRA applies the provisions of the H Street NE NC Overlay district to all properties on H Street,
  - g) Working with other groups to pass legislation to insure that City-funded social services are spread fairly and evenly across DC.

### **820 8<sup>th</sup> St NE**

Commissioner Marshall requested the ED&Z committee look into whether the proposed ex-offender rehabilitation home at 820 8<sup>th</sup> St NE was permitted under the zoning regulations. The committee first examined whether Pastor Jones' description of the facility at the December ANC meeting was covered by the definition of a Community Based Residential Facility (CBRF). The committee thought that the facility would fall under the definition of an Adult Rehabilitation home, which the zoning code defines as "a facility providing residential care for one (1) or more individuals sixteen (16) years of age or older who are charged by the United States Attorney with a felony offense, or any individual twenty-one (21) years of age or older, under pre-trial detention or sentenced court orders" While Pastor Jones claimed that the facility would not house felons, it was likely that individuals housed at the facility would be under court orders for probation, which would qualify the facility as a adult rehabilitation home. The committee also noted that Section 335.1 did not permit an adult rehabilitation home as a matter of right in an R-4 area, but only as a special exception. The committee also thought that the facility would likely fail several of the tests required to grant a special exception, and that the facility would then require a variance in order to operate.

**Recommendation:** The committee unanimously recommends that the ANC send a letter to DCRA pointing out that the proposed use of 820 8<sup>th</sup> St NE meets the definition of an adult rehabilitation home and that a Certificate of Occupancy should not be granted until the owner obtains zoning relief for the

facility.

**HPA #08-123 (225 9<sup>th</sup> Street, NE)**

The applicant, Louis Fiore, presented plans to excavate his rear yard and build a rear-addition and patio area. His architect clarified outstanding questions regarding materials and design. Given its “sunken” nature, the addition will be minimally visible from the rear and will neither adversely affect the air or light of the neighboring properties. Additionally, it falls within the design guidelines set forth by HPRB.

**Recommendation:** The Committee unanimously recommends that the Commission support Mr. Fiore’s application if he obtains letters of support from his adjacent neighbors.

**HPA #07-337 (1131 D Street, NE)**

The applicant, Barry Johnson, was not present at the ED&Z meeting to discuss a number of outstanding issues concerning his proposed construction. Based on Ms. Swingen’s phone conversations with Mr. Johnson, as well as plans supplied to the committee, it appears Mr. Johnson would like to put a two-story addition onto the western wall of his property, thus creating a new party wall with the neighboring property. Mr. Johnson has provided neither the ANC nor CHRS with letters of support from his neighbor. The existing plans show ambiguous property lines, do not provide adequate information about the types of materials that will be used in the addition and need clarifications on a number of design issues. Lastly, the committee is concerned about the use of the existing curb cuts on both 12<sup>th</sup> and D streets and the likelihood that setting back the addition will encourage parking on public space on D St.

**Recommendation:** The committee unanimously recommends that the ANC oppose HPA #07-337.

**Reporting of After-hour Construction to DCRA**

When Ms. Linda Argo, the director of DCRA, attended ANC 6A’s September meeting she told a number of stories about the difficulty of reporting illegal construction on the weekends. Ms. Argo replied that residents who wanted to report illegal construction on the weekends should call 727-6161. Drew Ronneberg reported that when he called that number on the weekend, the DCRA dispatcher said that MPD handled weekend illegal construction calls. Stephanie Nixon and David Holmes had reported similar experiences at a prior ANC meeting.

**Recommendation:** The committee unanimously recommends sending a letter to Ms. Argo stating that calling 727-6161 on the weekends was not causing the investigation of illegal construction complaints.

**Next Scheduled ED&Z Committee Meeting:  
Wednesday, February 20, 2008  
7-9 PM  
640 10<sup>th</sup> Street, NE  
2<sup>nd</sup> Floor - Sherwood Recreation Center**