

District of Columbia Government  
Advisory Neighborhood Commission 6A  
Box 75115  
Washington, DC 20013



October 9, 2007

Mr. Clifford Moy  
Secretary of the Board of Zoning Adjustment  
Board of Zoning Adjustment  
441 4<sup>th</sup> St. NW, Suite 210  
Washington, DC 20001

Re: BZA Case No. 17620 (1383-85 H St NE)

Mr. Moy,

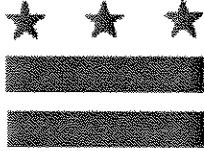
At our regularly scheduled and properly noticed meeting on July 12<sup>th</sup>, 2007, Advisory Neighborhood Commission 6A voted unanimously to conditionally support the above reference application.

The applicant, Mr. Leon Robbins, is proposing to build a 3 story structure on a lot that is currently vacant. Mr. Robbins has done an admirable job of soliciting community input and answering questions at our Commission's Economic Development and Zoning Committee June 26, 2007, meeting and the full ANC's July 12, 2007, full Commission meeting. In addition, our Commission appreciates the fact that the proposed a building complies with all the design requirements and guidelines contained in the H Street NE Neighborhood Commercial Overlay District. We also believe that this project demonstrates that H Street NE can attract high quality infill development without lot consolidations, PUDs or upzonings.

Our Commission conditionally supports Mr. Robbins' application for the following zoning relief: a variance from off-street parking requirements pursuant to §2101.1, a variance from lot occupancy requirements pursuant to Section §772.1, a special exception from the rear year setback requirements pursuant to Section §774.1 and a special exception to allow for a non-residential use on the second floor of the building pursuant to Section §1323.3 of the H Street NE Zoning Overlay.

Mr Robbins' lot at 1383-85 H Street NE lacks alley access because it is completely enclosed on the side and rear by other buildings. The only way off-street parking access could be provided is by creating a curbcut on H Street NE – a “solution” that is is strongly discouraged by the Overlay and our ANC. ANC 6A believes that Mr. Robbins has met the burden of proof for a variance outlined in Section 3103.2, because the unique circumstances of the lot make it impossible to accommodate on-site parking in a way that does not violate the H Street Overlay or the H Street Strategic Development Plan.

The enclosure of the building on 3 sides would also lead to a poorly lit and ventilated “well” behind the structure if it were built to the matter-of-right 75% lot occupancy in a C-3-A zone. Due to the unusual conditions of this lot, the only function this “well” could practically serve is for trash storage. ANC 6A believes that this function could be much better served with an



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interior ventilated trash room. Due to the undesirability of having a “well” behind the building and the fact that 100% lot occupancy would neither impact the light nor air of the neighboring properties, ANC conditionally supports Mr. Robbins' request for variance from the lot occupancy requirements and a special exception from the rear yard requirements.

Mr. Robbins is also seeking a special exception to Section 1323.3 of the H Street Overlay which allows only 1.0 FAR for non-residential uses as a matter-of-right in the Arts and Entertainment sub-district. ANC 6A supports a special exception for the FAR necessary to allow a second floor non-residential use as long as this use either one of the preferred use enumerated in Section 1323.2 or another use consistent with the Arts and Entertainment District. Mr. Robbins has indicated that a comedy club is interested in leasing the second floor of this property – a use that ANC 6A believes is consistent with the intent of the Overlay.

Our support for these four items of zoning relief is contingent on the applicant meeting the following conditions:

1. Building a structure with the facade and massing presented to the ANC.
2. Providing the ANC with the statement of burden of proof at least 1 month prior to the hearing.
3. Adhering to all the requirements in the H Street NE Zoning Overlay including the design requirements and design guidelines.
4. Creating a second floor use consistent with the goals of the Arts and Entertainment District.
5. Building a ventilated trash room in the building.

Please be advised that Terres (Drew) Ronneberg is authorized to act on behalf of ANC 6A for the purposes of this appeal. Dr. Ronneberg can be reached at [ronneberg6a02@gmail.com](mailto:ronneberg6a02@gmail.com) or (202) 431-4305.

On Behalf of the Commission,

Joe Fengler  
Chair, Advisory Neighborhood Commission 6A