

**Government of the District of Columbia
Advisory Neighborhood Commission 4B**



**[DRAFT] RESOLUTION #4B-23-0402
Providing Feedback on the Request for Special Exception
at 5814 9th Street, NW (BZA 20913)
Adopted April 24, 2023**

Advisory Neighborhood Commission 4B (Commission) takes note of the following:

- Dereje Mesfin (Applicant) is seeking to construct a cellar, third story with penthouse, rear and side additions, and two additional dwelling units to an existing, semi-detached, 4-unit apartment house in the RA-1 zone at 5814 9th Street, NW (Square 2986, Lot 31) (Subject Property) and has applied to the Board of Zoning Adjustments for a special exception from the requirements of the lot occupancy of 11 DCMR Subtitle F § 304.1, pursuant to Subtitle F § 5201.1(a) and Subtitle X § 901.2 as Case Number 20913. The Subject Property is located in Advisory Neighborhood Commission 4B, Single Member District 4B05.
- The Subject Property is located in the RA-1 zone where the maximum lot occupancy is forty percent (40%). The Applicant is proposing a maximum lot occupancy of forty-one percent (41%) and is requesting special exception relief pursuant to Subtitle F § 5201.1(a) for the proposed increase in the maximum lot occupancy.
- The Subject Property is semi-detached and the land is improved with a multifamily building containing four (4) individual dwelling units. The Applicant proposes to keep the existing building but to create six (6) individual dwelling units. The existing structure will be gutted completely except for south party wall.
- The Applicant will not provide a shadow study demonstrating that the light and air available to the neighboring property to the south shall not be unduly affected simply because of its location south of the Subject Property, satisfying the § 5201.3(a) criteria for special exception relief.
- Surrounding residents registered concerns regarding construction equipment parking, ensuring continued access throughout the adjacent alley, litter control (food, construction materials), air quality control

(dust), runoff control (mud, soil, clay), noise control, and rodent control. Applicant received and considered the concerns and has provided documented mitigation plans for each concern.

RESOLVED:

- That Advisory Neighborhood Commission 4B supports the special exception to the requirements of the lot occupancy of 11 DCMR Subtitle F § 304.1, where the maximum lot occupancy is forty percent (40%) in the RA-1 zone, and a maximum lot occupancy of forty-one percent (41%) for the proposed project.
- That Advisory Neighborhood Commission 4B calls on the Applicant to ensure all mitigation plans addressing surrounding resident concerns are adhered to the maximum extent possible.
- That Advisory Neighborhood Commission 4B encourages the Applicant to conduct a shadow study to ensure no undue impact on light to surrounding properties.

FURTHER RESOLVED:

That the Commission designates Commissioner Kevin Gilligan, ANC 4B05, to represent the Commission in all matters relating to this Resolution.

FURTHER RESOLVED:

That, in the event the designated representative Commissioners cannot carry out their representative duties for any reason, the Commission authorizes the Chair to designate another Commissioner to represent the Commission in all matter relating to this Resolution.

FURTHER RESOLVED:

That, consistent with DC Code § 1-309, only actions of the full Commission voting in a properly noticed public meeting have standing and carry great weight. The actions, positions, and opinions of individual commissioners, insofar as they may be contradictory to or otherwise inconsistent with the expressed position of the full Commission in a properly adopted resolution or letter, have no standing and cannot be considered as in any way associated with the Commission.

ADOPTED by voice vote at a regular public meeting (notice of which was properly given, and at which a quorum of __ members was present) on [ANC Public Meeting Date] by a vote of _ yes, _ no, _ abstentions.