

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS



Office of the Director

August 31, 2012

Andrew J. Critchfield
Chair
Advisory Neighborhood Commission 6B
921 Pennsylvania Avenue, SE
Suite 305
Washington, DC 20003

Dear Commissioner Critchfield:

This letter responds to your letter dated May 17, 2012, and subsequent email dated August 15, 2012, regarding the Hill East (HE) District. I apologize that the initial response was not adequate. Below are responses to your questions:

1) Why has DCRA not recognized the HE District in permit applications and requests for 1900 Massachusetts Avenue SE?

We currently recognize the HE District in our permit applications process. The information used by DCRA's computer systems, that denote the zoning designation for properties, has been updated to reflect the correct zoning designation of this property as "HE-1" so that all applications filed as of May 17, 2012 will list the appropriate HE zoning designation. A check of the computer systems found all applicable permits applied for after that date correctly list the HE-1 zone.

2) Was all of the construction work permitted and completed at the site since August 7, 2009 allowed under the HE District?

We reviewed all building permits and certificates of occupancy issued after August 7, 2009 and concluded that the work permitted was allowed under the Hill East District regulations.

The site, as you know, is owned by the District Government. The majority of the permits that have been issued were either for interior work, or other building alterations such as fire alarm upgrades, roof repairs, or electrical improvements, that did not change the use, load, or square footage of the building. Therefore these minor building changes were not subject to the Hill East District regulations.

Five other permits were approved as a matter of right use under 11 DCMR 2802 in compliance with the Hill East District regulations:

- B1001947 and AN1100092 – Antennas and Telecommunications Dish –
- CO1000335– Health Care Facility [continuation of previously established use]
- CO1100014 – Methadone Clinic
- B1111496 – Temporary parking lot resulting from the raze of building #10

3) Did any of the construction/building work permitted and completed at the site since August 7, 2009 require zoning relief to comply with the HE District?

As described in the response to question #2, no construction or building work permitted and completed after August 7, 2009 required zoning relief to comply with the Hill East District regulations.

4) Why was ANC 6B not properly noticed about all special exception and variance requests for construction/building work permitted and completed at the site since August 7, 2009?

As described in the response to question #2, all building work permitted and completed at the site since August 7, 2009 has either not been subject to, or has complied with the Hill East District regulations, so neither special exceptions nor variances were required.

We appreciate your inquiry regarding the property and application of Hill East District regulations. Please do not hesitate to contact me if you have further questions.

Sincerely,



Nicholas A. Majett
Director

cc: Mayor Vincent Gray
Councilmember Tommy Wells
Councilmember Yvette Alexander
Nicholas Majett, Director, DCRA