



District of Columbia Government
Advisory Neighborhood Commission 6A-02
815 F Street, NE
Washington, DC 20002



July 11, 2006

Bill Crews
Zoning Administrator
Department of Consumer and Regulatory Affairs
941 North Capitol Street NE, Room 2000
Washington, DC 20002

Re: 804 H Street, NE construction

Dear Mr. Crews:

The construction at 804 H Street, NE (Square 911 Lot 54), appears to include a 4th floor addition. Upon further review of the permits, the following concerns arise.

First, building permits #78940 and #91376 are not posted at the site. Without these permits, the general public is denied the required information.

Second, the building permit #91376 states that the property is located in a C-4 zone. However, the property is actually in a C-2-A zone that is part of the H Street NE Overlay District. This raises concerns that the improper zone designation may have led to the issuing of the building permit in error.

Third, as a matter of right, a building in a C-2-A zone district is allowed 1.5 FAR (Floor to Area Ratio) for non-residential purposes and an additional 1.0 FAR for residential purposes. The H Street NE Overlay District permits an additional 0.5 FAR for non-residential purposes if the facade is preserved. The building permit lists the existing and proposed use as solely "business" related. An inspection of the site shows the building occupies 100% of the lot on the first two floors and currently the third floor occupies a portion of the lot. It appears the property exceeds the 2.0 FAR permitted by zoning regulations for non-residential (business) purposes.

Accordingly, your assistance is requested for the following: (1) investigate why there are no posted permits, (2) confirm the permits have been correctly issued in accordance with the zoning correct zoning requirements, and (3) provide rational used to permit the fourth floor addition to the structure.

Sincerely,

Joseph Fengler, Commissioner
ANC 6A-02

Cc: John Formant, 225 Pennsylvania Avenue, SE.
Carlos Sales, 747 Kenyon Street, NW