



BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA



FORM 120 - APPLICATION FOR VARIANCE/SPECIAL EXCEPTION

Before completing this form, please review the instructions on the reverse side.
Print or type all information unless otherwise indicated. All information must be completely filled out.

Pursuant to §3103.2 - Area/Use Variance and/or §3104.1 - Special Exception of Title 11 DCMR- Zoning Regulations,
an application is hereby made, the details of which are as follows:

Address(es)	Square	Lot No(s).	Zone District(s)	Type of Relief Being Sought	
				Area Variance - Use Variance Special Exception	Section(s) of Title 11 DCMR - Zoning Regulations from which relief is being sought
2329 & 2335 Champlain Street, N.W.	2563	103 & 816	RC/R-5-B	Modification	Section 3129.7

Present use(s) of Property: Vacant Retail and Office Use

Proposed use(s) of Property: Residential

Owner of Property: Kings Creek, LLC

Telephone No: 703-230-1900

Address of Owner: 1897 Preston White Drive, Suite 105, Reston, VA 20191

Advisory Neighborhood Commission: 1C

Single-Member District(s): 1C-07

Written paragraph specifically stating the "who, what, and where of the proposed action(s)". This will serve as the Public Hearing Notice:

Application of Kings Creek, LLC, pursuant to 11 DCMR § 3129.7, for the approval of interior and exterior modifications to the plans approved by the Board of Zoning Adjustment pursuant to Order Nos. 17431 and 17431-A, and an increase in the number of dwelling units from 22 to 31, to allow an addition to, and conversion of, an existing building for residential use in the RC/R-5-B District at the Site.

EXPEDITED REVIEW REQUEST

I waive my right to a hearing, agree to the terms in Form 128 - Waiver of Hearing for Expedited Review, and hereby request that this case be placed on the Expedited Review Calendar, pursuant to §3118.2 (CHOOSE ONE):

- ☐ A park, playground, swimming pool, or athletic field pursuant to §209.1, or
☐ An addition to a one-family dwelling or flat or new or enlarged accessory structures pursuant to §223

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. (D.C. Official Code § 22 2405)

Date:

Signature*:

* To be signed by the Owner of the Property for which this application is filed or his/her authorized agent. In the event an authorized agent files this application on behalf of the Owner, a letter signed by the Owner authorizing the agent to act on his/her behalf shall accompany this application.

To be notified of hearing and decision (Owner or Authorized Agent*):

Name: Chris Collins and Kyrus Freeman

E-Mail: chris.collins@hklaw.com kyrus.freeman@hklaw.com

Address: 2099 Pennsylvania Avenue, NW, Suite 100, Washington, DC 20006

Phone No.: 202-862-5978

Fax No.: 202-955-5564

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

FOR OFFICIAL USE ONLY

Exhibit No. 1

Case No.

18167

Board of Zoning Adjustment
District of Columbia
CASE NO. 18167
EXHIBIT NO. 1

INSTRUCTIONS

Any application that is not completed in accordance with the following instructions shall not be accepted.

1. All applications shall be made pursuant to this form. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form (drawings and plans may be no larger than 11"x17").
2. Present this form and supporting documents, in person, to the Office of Zoning at 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001. **(All applications must be submitted before 3:00 p.m.)**
3. At the time of filing this application before the Board of Zoning Adjustment (BZA), the Applicant shall complete and submit a Form 126 - Board of Zoning Adjustment Fee Calculator - and pay a filing fee in accordance with the BZA Schedule of Fees – 11 DCMR §3180. **(Check or money order is payable to the "DC Treasurer"; cash and credit/debit card payments will not be accepted.)**
4. If seeking an Expedited Review pursuant to § 3118.2, the applicant shall complete and submit Form 128 – Waiver of Hearing for Expedited Review.
5. ***At the time of filing this application, all applicants are REQUIRED to submit the following information (including one (1) original and fifteen (15) collated copies):***
 - A. Either a memorandum from the Zoning Administrator at DCRA directing the applicant to the BZA or a Form 135 - Zoning Self-Certification, which requires certification by a licensed architect or attorney.
 - B. A plat, drawn to scale and certified by a DC licensed survey engineer or the D.C. Office of the Surveyor showing boundaries and dimensions of the existing and proposed structures and accessory buildings and structures.
 - C. Architectural plans and elevations in sufficient detail to clearly illustrate any proposed structure to be erected or altered, proposed landscaping/screens and building materials. Submittal of plat and plans shall not exceed 11" x 17" in size. (See Form 130 – Required Specifications for Plats, Plans and Elevations – for the required information on these drawings.)
 - D. A detailed statement of existing and intended use of the structure.
 - E. A detailed statement explaining how this application meets the specific tests identified in the Zoning Regulations for variance (area and/or use), special exception or other specific relief being sought. (See Form 121 – Applicant's Burden of Proof for Variance and Special Exception Applications.)
 - F. Three color images, not-to-exceed 8½" x 11", showing pertinent features of the structure and the property involved (front, rear and sides, if possible and applicable).
 - G. The names and mailing addresses of the owners of all property within 200 feet, in all directions from all boundaries of the property involved in the application, **and two (2) sets of self-stick labels of the names and mailing addresses of the owners of the properties.** (Note: This information is most readily available from the D.C. Department of Tax and Revenue, Tax Assessors, 1101 4th Street, SW – West Building, Washington, D.C. 20024.)
 - H. The name and mailing address of any individual who has a lease with the owner for all or part of any structure located on the property involved in the application.
 - I. Documentation or a copy of the Certificate of Occupancy showing the current authorized use. In cases where a change from a conforming use to a non-conforming use is requested, provide a copy of the past authorized uses.

Note: All applications are referred for review and recommendation to the Office of Planning (OP) and the Advisory Neighborhood Commission (ANC) within which the affected property is located. Their reports are given "great weight" in the BZA decision-making process. Applicants are strongly encouraged, at the time of filing this application, to contact these agencies to discuss the merits of their application. OP can be reached at (202) 442-7600. ANC information can be ascertained by contacting the Office of Advisory Neighborhood Commissions at (202) 727-9945.



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete Form 155 - Request for Reasonable Accommodation.

District of Columbia Office of Zoning
441 4th Street, N.W. Ste. 200 S, Washington, D.C. 20001
(202) 727 6311 * (202) 727 6072 fax * www.dcoz.dc.gov * dcoz@dc.gov

Holland & Knight

2099 Pennsylvania Avenue, N.W., Suite 100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564
Holland & Knight LLP | www.hklaw.com

RECEIVED
OFFICE OF ZONING
20 NOV 30 PM 2:41
CHRISTOPHER H. COLLINS
202-457-7841
chris.collins@hklaw.com

KYRUS L. FREEMAN
202-862-5978
kyrus.freeman@hklaw.com

November 30, 2010

VIA HAND DELIVERY

D.C. Board of Zoning Adjustment
Suite 210
441 4th Street, N.W.
Washington, D.C. 20001

Re: Application for Modifications to Plans Approved Pursuant to BZA Order
Nos. 17431 and 17431-A

Honorable Members of the Board:

On behalf of King's Creek, LLC, enclosed please find supporting materials and an application pursuant to 11 DCMR, Section 3129.7, for the approval of interior and exterior modifications to the plans approved by the Board of Zoning Adjustment pursuant to Order Nos. 17431 and 17431-A, and an increase in the number of dwelling units from 22 to 31, to allow an addition to, and conversion of, an existing building for residential use in the RC/R-5-B District at premises 2329 & 2335 Champlain Street, N.W. (Square 2563, Lots 103 and 816). We have enclosed a check in the amount of \$936.00 for the filing fee, and an original and twenty copies of the following:

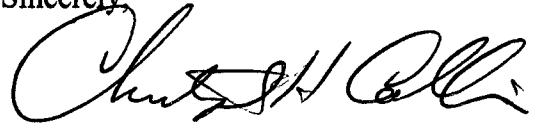
- A completed BZA Application Form 120;
- Authorization letter from Kings Creek, LLC, the owner of the subject property, authorizing the law firm of Holland & Knight LLP to file and process the application;
- A building plat prepared by the D.C. Surveyor's office showing boundaries and dimensions of the proposed new building;
- A statement of the existing and intended use of the subject property;
- A Preliminary Statement outlining how the application meets the required burden of proof;
- Photographs of the subject property;

- The name and mailing address of the owners of property within 200 feet in all directions from all boundaries of the subject property, plus one original and one copy of the mailing labels for this list;
- In lieu of a memorandum from the Zoning Administrator, a completed certification form (Form 135);
- Board of Zoning Adjustment Order Nos. 17431 and 17431-A; and
- Architectural Plans and Elevations showing the proposed modifications.

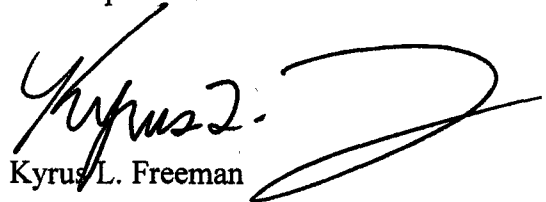
We believe the application is complete and acceptable for filing, and we request that the Board schedule a public hearing on the application at the soonest available time.

We are prepared to answer any questions or provide such other additional information as you may require. Thank you for your attention to this application.

Sincerely,



Christopher H. Collins



Kyrus L. Freeman

Enclosures

cc: Advisory Neighborhood Commission 1C (w/ enclosures – via U.S. Mail)
Jennifer Steingasser, Office of Planning (w/ enclosures – via Hand)

#9926137_v1