

Arent Fox

November 28, 2011

VIA ELECTRONIC MAIL ONLY

Meridith Moldenhauer, Chair
Board of Zoning Adjustment
441 Fourth Street NW, Suite 210 S
Washington DC 20001

Kinley R. Bray

Attorney
202.715.8572 DIRECT
202.857.6395 FAX
bray.kinley@arentfox.com

Reference Number
029604.00030

Re: Application of Verizon Washington D.C. Inc. and EastBanc, Inc.
BZA Case No. 18285
Supplemental Pre-Hearing Filing (Revised Self-Certification)

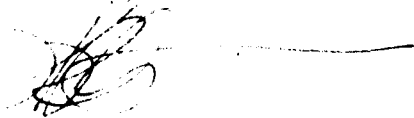
Dear Chairperson Moldenhauer and Members of the Board:

Attached for filing is a revised Self-Certification Form (Form 135). The Applicant recently received an updated survey of the subject property which shows a slightly higher curb height along Wisconsin Avenue, thus eliminating the need for a variance from the maximum permitted building height under 11 DCMR § 930.1.

In addition, the floor area ratio figure has been updated to reflect a more accurate overall FAR calculation and placement of the existing building relative to the floors of the proposed development. The proposed development will contain an overall FAR of 2.558, an increase of .058 over the requested overall FAR as stated in the Applicant's Pre-Hearing Statement filed on November 15, 2011.¹ The requested overall floor area ratio is 2.3% greater than that permitted as a matter of right in the W-1 zone; the requested non-residential floor area ratio is 3.3% greater than the existing condition (non-conforming by 20%) and 24% over the maximum non-residential floor area ratio permitted as a matter of right.

We look forward to the public hearing on this matter.

Sincerely,



Kinley R. Bray

Enclosure

¹ No change was made to the request for an increase in non-residential FAR.
GENBUS 841179.2

2011 NOV 29 AM 8:34
OFFICE OF ZONING
BOARD OF ZONING ADJUSTMENT

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18285

EXHIBIT NO. 27

1050 Connecticut Avenue, NW
Washington, DC 20035-5339
T 202.857.6000 F 202.857.6395

1675 Broadway
New York, NY 10019-5820
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Board of Zoning Adjustment
District of Columbia
CASE NO. 18285
EXHIBIT NO. 27

Cc: Mary Mottershead
Joe Sternlieb
Robin Bettarel
Steve Cochran, Office of Planning
ANC 2E (via e-mail and U.S. mail)
Ellen McCarthy
Hany Hassan
Jill Cavanaugh
John Epting, Esq.
Gary Hucka

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of November, 2011, a copy of the foregoing was mailed, first class, postage pre-paid, to the following:

Advisory Neighborhood Commission 2E
3265 S Street NW
Washington DC 20007

Steve Cochran
Office of Planning
1100 4th Street SW, Suite 650-E
Washington DC 20024
stephen.cochran@dc.gov



Kinley R. Bray



BEFORE THE BOARD OF ZONING ADJUSTMENT
DISTRICT OF COLUMBIA



FORM 135 – ZONING SELF-CERTIFICATION

Project Address(es)	Square	Lot(s)	Zone District(s)
1045 Wisconsin Ave N.W.	1189	830	W-1

Single-Member Advisory Neighborhood Commission District(s):

CERTIFICATION

The undersigned agent hereby certifies that the following zoning relief is requested from the Board of Zoning Adjustment in this matter pursuant to:

Relief Sought	☒ §3103.2 - Use Variance	☒ §3103.2 - Area Variance	☐ §3104.1-Special Exception
Pursuant to Subsections	931.2	2001.3, 932.1, 933.2	

Pursuant to 11 DCMR §3113.2, the undersigned agent certifies that:

- (1) the agent is duly licensed to practice law or architecture in the District of Columbia;
- (2) the agent is currently in good standing and otherwise entitled to practice law or architecture in the District of Columbia; and
- (3) the applicant is entitled to apply for the variance or special exception sought for the reasons stated in the application.

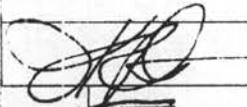
The undersigned agent and owner acknowledge that they are assuming the risk that the owner may require additional or different zoning relief from that which is self-certified in order to obtain, for the above referenced project, any building permit, certificate of occupancy, or other administrative determination based upon the Zoning Regulations and Map. Any approval of the application by the Board of Zoning Adjustment (BZA) does not constitute a Board finding that the relief sought is the relief required to obtain such permit, certification, or determination.

The undersigned agent and owner further acknowledge that any person aggrieved by the issuance of any permit, certificate, or determination for which the requested zoning relief is a prerequisite may appeal that permit, certificate, or determination on the grounds that additional or different zoning relief is required.

The undersigned agent and owner hereby hold the District of Columbia Office of Zoning and Department of Consumer and Regulatory Affairs harmless from any liability for failure of the undersigned to seek complete and proper zoning relief from the BZA.

The undersigned owner hereby authorizes the undersigned agent to act on the owner's behalf in this matter.

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 form 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)

Owner's Signature		Owner's Name (Please Print)	
		Kinley R. Bray, Esq. Agent For Client Hany Hassan, Beyer Blinder Belle Architects & Planners LLP	
Agent's Signature			
Date	D.C. Bar No.	497960	or Architect Registration No. ARC100149

FOR OFFICIAL USE ONLY

Based upon review of the application and self-certification, the Office of Zoning determines, pursuant to 11 DCMR §3113.2, this application is

- ☐ Accepted for filing.
- ☐ Referred to the Office of the Zoning Administrator within DCRA, for determination of proper zoning relief required.
- ☐ Rejected for failure to comply with the provisions of ☐ 11 DCMR §3113.2; or ☐ 11 DCMR - Zoning Regulations.

Explanation _____

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

Case No. _____

INSTRUCTIONS

Any request for self-certification that is not completed in accordance with the following instructions shall not be accepted.

1. All self-certification applications shall be made on this form. All certification forms must be completely filled out (front and back) and be typewritten or printed legibly. All information shall be furnished by the applicant. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form.
2. Complete one self-certification form for each application filed. Present this form with the Form 120 - Application for Variance/Special - Exception to the Office of Zoning, 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001. (All applications must be submitted before 3:00 p.m.)

ITEM	EXISTING CONDITIONS	MINIMUM REQUIRED	MAXIMUM ALLOWED	PROVIDED BY PROPOSED CONSTRUCTION	VARIANCE Deviation/Percent
Lot Area (sq. ft.)	28,519	n/a	n/a	unchanged	n/a
Lot Width (ft. to the tenth)	110'	n/a	n/a	unchanged	n/a
Lot Occupancy (building area/lot area)	approx. 59%	n/a	80%	95.85%	20%
Floor Area Ratio (FAR) (floor area/lot area)	1.2 (all non-residential)	n/a	2.5 overall, 1.2 non-residential (existing nonconforming)	2.558 overall; 1.24 non-residential	2.3% of overall FAR; 3.3% increase over existing nonconforming non-residential FAR (24% over max permitted as a matter of right)
Parking Spaces (number)	20	7	n/a	24	n/a
Loading Berths (number and size in ft.)	none	none	n/a	none	n/a
Front Yard (ft. to the tenth)	approx. 97'	none	n/a	none	n/a
Rear Yard (ft. to the tenth)	0'	3"/ft of height, min 12'	n/a	existing to remain	unchanged existing nonconforming
Side Yard (ft. to the tenth)	0'	none	n/a	existing to remain	n/a
Court, Open (width by depth in ft.)	none	4"/ft of height, min 10'	n/a	1: 10'x15', 2: 15'x16'	n/a
Court, Closed (width by depth in ft.)	none	n/a	n/a	none	n/a
Height (ft. to the tenth)	17'	n/a	45'	45'	n/a



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.