



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
460 New York Avenue, NW	515N	828	DD/C-2-C	Special Exception	411.11
				Area Variance	(modification to variances from
					Sections 772.1/2001.3, 2101.1, 2201.1)
Present use(s) of Property:	Vacant warehouse				
Proposed use(s) of Property:	Residential building				
Owner of Property:	Eugene Kressin			Telephone No:	202.232.0950
Address of Owner:	c/o Demers Real Estate, 1664 Columbia Road NW, Washington, DC 20009				
Single-Member Advisory Neighborhood Commission District(s):	ANC 6C02				

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

Applicant seeks to renovate, convert, and expand existing warehouse building for residential use, which will require special exception relief under 11 DCMR Sections 411.11 and 3104.1 for a required roof structure setback and modification to a previously approved plan under BZA Order 17723 which granted variance relief under 11 DCMR Section 3103.2 for the parking space (2108.2) requirements, loading requirements (2201.1) and lot occupancy requirements (772.1 and 2201.3).

EXPEDITED REVIEW REQUEST (If interested, please select the appropriate category)

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: 9/22/11

Signature*: *John D. Gidell Exec V.P. Egnate Development Company*

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

Name: Maureen Dwyer, Esq.

E-Mail: mdwyer@goulstonstorrs.com

Address: 1999 K Street, NW, Suite 500, Washington, D.C. 20007

Phone No(s): 202.721.1101

Fax No.: 202.263.0501

* 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.

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. 18308

Board of Zoning Adjustment
District of Columbia
CASE NO. 18308
EXHIBIT NO. 1

Jeff C. Utz
Associate
jutz@goulstonstorrs.com
202-721-1132 Tel
202-263-0532 Fax

September 26, 2011

VIA HAND DELIVERY

Meridith Moldenhauer, Chairperson
D.C. Board of Zoning Adjustment
441 4th Street, N.W.
Second Floor
Washington, D.C. 20001

2011 SEP 26 PM 2:05

RECEIVED
D.C. OFFICE OF ZONING

Re: Board of Zoning Adjustment ("BZA") Case No. 17723 and 17723-A by Bozzuto Development Company – Application for Variance and Special Exception Relief for 460 New York Avenue, NW (Square 515N, Lot 828), Washington, DC (the "Property") – Modification Request and Additional Special Exception Relief Request

Dear Chairperson Moldenhauer and Members of the Board:

On behalf of the Bozzuto Development Company (the "Applicant"), the applicant in Case Nos. 17723 and 17723-A, please accept for filing one original and twenty copies of the enclosed application for a modification to such previous approvals and an application for an additional area of relief – a special exception under Section 411.11 from the roof structure setback requirement of Section 770.6(b). The Applicant is seeking such modification and relief in order to renovate the existing three (3) story building at 460 New York Avenue, NW and construct eight (8) additional floors on the Property for residential use (the "Project").

This package includes the following materials:

- BZA Form 120, Application.
- BZA Form 135, Self Certification (Tab 1).
- The preliminary statement of the applicant satisfying the burden of proof for the new relief, including the statement of existing and intended use of the Property (Tab 2).

460 New York Avenue, NW – BZA Case Nos. 17723 and 17723-A
September 26, 2011

- Updated plans (Tab 3).
- Authorization Letter (Tab 4).
- BZA Form 126, Fee Calculator (Tab 5).
- Checks payable to the DC Treasurer in the amounts of \$3,224.00 for the application's filing fee.

We believe that this package is complete and acceptable for filing, and we request that the Board schedule a public hearing on the application as soon as possible. If you have any questions, please do not hesitate to contact the undersigned at (202) 721-1132. Thank you for your attention to this application.

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely yours,



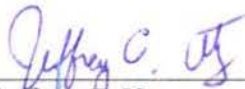
Jeff C. Utz

Enclosures

cc: Duncan Slidell

Certificate of Service

I certify that on September 26, 2011, I delivered a copy of the foregoing document via hand delivery or first class mail to the addresses listed below.



Jeffrey C. Utz

Stephen Cochran (2 copies)
Office of Planning
1100 4th Street, SW, Suite 650E
Washington, DC 20024

ANC 6C (3 copies)
c/o Karen Wirt
234 E Street, NE
Washington, DC 20002

Mark Dixon
ANC 6C02
80 New York Ave., NW
Washington, DC 20001

Miles Groves
Downtown Neighborhood Association
715 6th Street, NW
Washington, DC 20001