



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
2441 Market Street, N.E.	4327	5	C-2-B	Special Exception	706, 726, and 2302
Present use(s) of Property:	Vacant				
Proposed use(s) of Property:	Gasoline Station				
Owner of Property:	Costco Wholesale Corporation			Telephone No:	703-406-6817
Address of Owner:	45940 Horseshoe Drive, Suite 150 Sterling, Virginia 20166				
Single-Member Advisory Neighborhood Commission District(s):	5A12				
Written paragraph specifically stating the "who, what, and where of the proposed action(s)". This will serve as the Public Hearing Notice:					

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Application of Costco Wholesale Corporation, pursuant to 11 DCMR § 3104.1, for a special exception pursuant to §§ 706, 726, and 2302 to allow the construction of a new gasoline station in the C-2-B District on a portion of the premises located at 2441 Market Street, N.E. (Square 4327, Lot 5).

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:	4/18/12	Signature*:	Kyrus L. Freeman
To be notified of hearing and decision (Owner or Authorized Agent*):			
Name:	Kyrus L. Freeman, Esq.	E-Mail:	kyrus.freeman@hklaw.com
Address:	2099 Pennsylvania Avenue, N.W. Suite 100 Washington, DC 20006		
Phone No(s):	202-862-5989	Fax No.:	202-955-5564

* 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. 18395

Board of Zoning Adjustment
District of Columbia
CASE NO.18395
EXHIBIT NO.1

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

Kyrus Lamont Freeman
(202) 862-5978
kyrus.freeman@hklaw.com

April 18, 2012

Via Hand Delivery

Board of Zoning Adjustment
for the District of Columbia
441 4th Street, N.W., Suite 210S
Washington, DC 20001

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Re: **BZA Application – 2441 Market Street, N.E. (Square 4327, Lot 5)**

Dear Board Members:

On behalf of Costco Wholesale Corporation, as the owner of property located at 2441 Market Street, N.E. (Square 4327, Lot 5), we submit an application and supporting materials pursuant to 11 DCMR § 3104.1, requesting approval of a special exception pursuant to §§ 706, 726, and 2302 of the Zoning Regulations to allow the construction of a new gasoline station on a portion of the premises located at 2441 Market Street, N.E. (Square 4327, Lot 5) in the C-2-B District. Enclosed are the following materials:

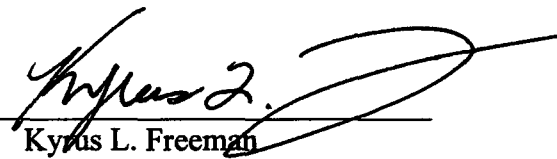
- A completed BZA Form 120 (application);
- A completed BZA Form 135 (self-certification);
- A building plat showing the boundaries and dimensions of the subject property and the proposed improvements;
- Plans showing the proposed new gas station use;
- A statement of existing and intended uses of the subject property;
- A preliminary statement explaining how the application meets the specific tests identified in the Zoning Regulations;
- Photographs of the subject property;

- The name and mailing address of the owners of all property within 200 feet in all directions from all boundaries of the subject property, in both list and mailing label format;
- A completed BZA Form 126 (fee calculator) and a check in the amount of \$5,200.00; and
- Authorization letter from Costco Wholesale Corporation authorizing Holland & Knight LLP to file this application.

We respectfully request that the Board schedule the application for a public hearing on the next available date.

Very truly yours,

HOLLAND & KNIGHT LLP

By: 
Kyrus L. Freeman

Attachments

cc: Jennifer Steingasser, OP
Advisory Neighborhood Commission 5A
Robert King, Advisory Neighborhood Commission 5A12