



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
1005 North Capitol Street, N.E.*	674	439	C-3-C	Area Variance	776; 2101.1; 2201.1
				Special Exception	774.2; 411.11/770.6

Present use(s) of Property: Vacant

Proposed use(s) of Property: Residential, office, and retail

Owner of Property: District of Columbia

Telephone No: 202-288-0681

Address of Owner: 1350 Pennsylvania Avenue, NW Suite 317 Washington, DC 20004

Single-Member Advisory Neighborhood Commission District(s): 6C04

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

Application of Be the Change, on behalf of the District of Columbia, pursuant to 11 DCMR Sections 3103.2 and 3104.1, for an area variance from the court width and area requirements of Section 776; an area variance from the off-street parking requirements of Section 2101.1; area variances from the loading berth depth and service/delivery space requirements of Section 2201.1; a special exception from the rear yard requirements pursuant to Section 774.2; and a special exception from the roof structure setback requirements pursuant to Sections 411.11 and 770.6 to allow the construction of a new building with residential, retail, and office uses in the C-3-C District at premises 1005 North Capitol Street, N.E. (Square 674, Lot 439).

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: May 17, 2012

Signature*:

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): 202-862-5978

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.

18412
Board of Zoning Adjustment
District of Columbia
CASE NO.18412
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

May 17, 2012

Via Hand Delivery

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

RECEIVED
D.C. OFFICE OF ZONING
2012 MAY 17 PM 12:58

Re: **BZA Application – 1005 North Capitol Street, N.E. (Square 674, Lot 439)**

Dear Board Members:

On behalf of Be the Change and the District of Columbia, the owner of property located at 1005 North Capitol Street, N.E. (Square 674, Lot 439), we submit an application and supporting materials pursuant to 11 DCMR §3103.2 and §3104.1, requesting approval of an area variance from the court width and area requirements of Section 776; an area variance from the off-street parking requirements of Section 2101.1; area variances from the loading berth depth and service/delivery space requirements of Section 2201.1; a special exception from the rear yard requirements pursuant to Section 774.2; and a special exception from the roof structure setback requirements pursuant to Sections 411.11 and 770.6 to allow the construction of a new building with residential, retail, and office uses at premises located at 1005 North Capitol Street, N.E. (Square 674, Lot 439) in the C-3-C District. Enclosed are the following materials:

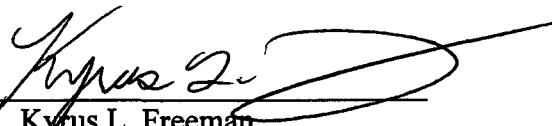
- A completed BZA Form 120 (application);
- A completed BZA Form 135 (self-certification);
- A plat showing the boundaries of the subject property and the proposed improvements;
- Architectural Plans and Elevations;
- A statement of existing and intended uses of the subject property;
- A preliminary 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 \$8,320.00; and
- An authorization letter from the District of Columbia authorizing Be the Change and 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 6C
Tony Goodman, Advisory Neighborhood Commission 6C04