

September 14, 2012

VIA HAND DELIVERY

D.C. Board of Zoning Adjustment
441 4th Street NW, Suite 210S
Washington, DC 20001

Re: Application for Variance and Special Exception Relief for 1400-1404 14th Street
NW (Square 210, Lots 82, 102 & 800)

Dear Members of the Board:

On behalf of the applicant, enclosed please find one original and 21 copies (including one for the Office of Planning) of an application for variance and special exception relief for the above-referenced property. I have also enclosed a check in the amount of \$3,640 for the applicable filing fee.

Should you or your staff have any questions, please do not hesitate to contact me.

Sincerely,



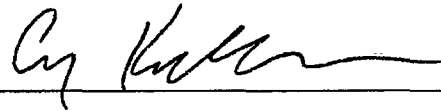
Cary R. Kadlecck

Enclosures
DCDOCS\7063696.1

CERTIFICATE OF SERVICE

I hereby certify that on September 14, 2012 a copy of the attached letter and enclosure was delivered via U.S. Mail to the following:

ANC 2F
5 Thomas Circle NW
Washington, DC 20005

A handwritten signature in black ink, appearing to read "Cary Kadlec", is written over a horizontal line.

Cary Kadlec

A



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
1400-1404 14th Street NW	210	82, 102, 800	ARTS/C-3-A	Area Variance	1902.1(b), 2101.1
				Special Exception	774.2

Present use(s) of Property: retail, office

Proposed use(s) of Property: retail, office, multifamily residential

Owner of Property: Abdo 14th St LLC

Telephone No: 202-265-9393

Address of Owner: 1404 14th Street NW, Washington, DC 20005

Single-Member Advisory Neighborhood Commission District(s): 2F02

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

Pursuant to 11 DCMR §§ 3103.2 & 3104.1, for a variance from the requirements for a setback above 50 feet in height adjacent to a residential zone under subsection 1902.1(b), a variance from the off-street parking requirements under subsection 2101.1, and a special exception from the rear yard requirements under section 774, to allow an addition to an existing commercial building to allow a mixed-use building in the ARTS/C-3-A District at premises 1400-1404 14th Street, N.W. (Square 210, Lots 82, 102, & 800).

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: 9/13/12

Signature:

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

Name: Allison Prince & Cary Kadlecsek

E-Mail: aprince@goulstonstorrs.com

Address: Goulston & Storrs, 1999 K Street NW, Suite 500, Washington, DC 20006

Phone No(s): 202-721-0011

Fax No.: 202-721-1111

* 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. _____



**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**



FORM 126 – BOARD OF ZONING ADJUSTMENT FEE CALCULATOR

Per §3180 of the Zoning Regulations, at the time of the filing of an application or an appeal with the Board of Zoning Adjustment, the applicant or appellant shall pay a filing fee in accordance the fee calculator below. In the case of an application combining two (2) or more actions, or for an application requesting consideration of more than one alternative, the fee shall be the total of the amounts for each action or alternative computed separately. However, for applications involving owner-occupied, one-family dwellings or flats, regardless of the number of variances, special exceptions, or alternatives requested, the fee is three hundred and twenty-five dollars (\$325.00). A department, office, or agency of the Government of the District of Columbia shall not be required to pay a filing fee where the property is owned by the agency and the property is to be occupied for a government building or use.

APPLICATION OR APPEAL TYPE:	FEE	UNIT	TOTAL
VARIANCE:			
Owner-Occupied Dwelling	\$325		
All Other Variances Per Section Requested	\$1,040	2	\$2080
TOTAL FOR VARIANCES:			\$2080
SPECIAL EXCEPTION:			
Parking Lot/Garage/Accessory Parking (per space)	\$104		
Child Development Center (per student)	\$33		
Private School (per student)	\$33		
Residential Under §353	\$520		
CBRF (per person)	\$104		
Office Use in SP (per 100 square feet)	\$52		
Roof Structures	\$2,600		
Hotel or Inn in SP (per room or suite)	\$104		
Gasoline Service Station	\$5,200		
Repair Garage	\$1,560		
Home Occupation	\$1,560		
Accessory Apartment Under §202	\$325		
Theoretical Lot Under §2516	\$1,560		
Additional Theoretical Lot Under §2516	\$520		
Recycling Facility Under §802	\$5,200		
Antenna Under §211	\$2,600		
Any Other Special Exception	\$1,560	1	\$1560
Chancery (per 100 square feet)	\$65		
Owner-Occupied Special Exception	\$325		
Time Extension/Modification -- Owner Occupied	\$130		
Time Extension/Modification -- All other (percentage of filing fee)	26%		
TOTAL FOR SPECIAL EXCEPTIONS:			\$1560
APPEAL:			
NCPC/ANCs/Citizens Association/Civic Association/Not-for-Profits	\$0		
All other organizations, groups or persons	\$1,040		
TOTAL FOR APPEALS:			
GRAND TOTAL:			\$3640

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)

Name: Cary Kadlecek

Signature: 

Exhibit No. _____

Last Revised (10/18/10)

Case No. _____



BEFORE THE BOARD OF ZONING ADJUSTMENT
DISTRICT OF COLUMBIA



FORM 135 – ZONING SELF-CERTIFICATION

Project Address(es)	Square	Lot(s)	Zone District(s)
1400-1404 14th Street NW	210	82, 102, 800	ARTS/C-3-A

Single-Member Advisory Neighborhood Commission District(s): 2F02

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		1902.1(b), 2101.1	774.2

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) James Abdo	
Agent's Signature 		Agent's Name (Please Print) Cary Kadlecik	
Date 9/13/12	D.C. Bar No. 982861	or	Architect Registration No.

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.)	8207	-	-	-	-
Lot Width (ft. to the tenth)	-	-	-	-	-
Lot Occupancy (building area/lot area)	-	-	75%	74%	-
Floor Area Ratio (FAR) (floor area/lot area)	-	-	4.8	4.8	-
Parking Spaces (number)	-	38	-	3	35
Loading Berths (number and size in ft.)	-	0	-	0	-
Front Yard (ft. to the tenth)	-	-	-	-	-
Rear Yard (ft. to the tenth)	-	16.5	-	partial	16.5'
Side Yard (ft. to the tenth)	-	-	-	-	-
Court, Open (width by depth in ft.)	-	-	-	-	-
Court, Closed (width by depth in ft.)	-	-	-	-	-
Height (ft. to the tenth)	-	-	75'	75'	-

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.



July 27, 2012

D.C. Board of Zoning Adjustment
441 4th Street NW, Suite 210S
Washington, DC 20001

Re: Authorization Letter – Application for Variance and Special Exception Relief for
1400-1404 14th Street NW (Square 210, Lots 82, 102, & 800)

Dear Members of the Board:

This letter hereby authorizes the law firm of Goulston & Storrs to represent us in all proceedings before the Board relating to the above-referenced property and application.

Sincerely,

By:

A handwritten signature in black ink, appearing to be "J. Abdo", written over the "By:" text.

Abdo Development, LLC