

Holland & Knight

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Leila M. Jackson Batties
leila.batties@hklaw.com
202.419.2583

January 7, 2013

Via Hand Delivery

Mr. Richard Nero
District of Columbia
Office of Zoning
441 4th Street, N.W., Suite 210S
Washington, DC 20001

Re: BZA Case No. 18474 / Wagtime LLC
1232 9th Street, NW (Lot 911, Square 368) / Amended Application

Dear Mr. Nero:

On behalf of Wagtime LLC, enclosed please find the following items in support of the above-referenced application, as amended, which is scheduled to be heard before the Board of Zoning Adjustment on March 5, 2013:

1. Form 120, describing the application requests, including variances to permit the use of the external facilities at the subject property;
2. Form 126 and a check in the amount of \$3120.00, the fee for the variances included in the application; and
3. a list of the property owners within 200 feet of the subject property and a set of mailing labels reflecting same.

We respectfully request that the application, as amended, be re-advertised as required under the Zoning Regulations. We will forward one original and 20 copies of the preliminary statement in support of the amended application under separate cover.

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18474
EXHIBIT NO. 38

Atlanta | Boston | Chicago | Fort Lauderdale | Jacksonville | Lakeland | Los Angeles | Miami | New York | Office of Zoning Adjustment
Northern Virginia | Orlando | Portland | San Francisco | Tallahassee | Tampa | Washington, DC | West Palm Beach | District of Columbia
CASE NO. 18474
EXHIBIT NO. 38

Thank you for your considerate attention to this matter. Please do not hesitate to contact me if you have any questions or concerns.

Very truly yours,

HOLLAND & KNIGHT LLP

By: *Leila M. Jackson Batties*
Leila M. Jackson Batties

Enclosures

cc: Advisory Neighborhood Commission 2F
c/o Mike Bernardo, Chair/SMD ANC 2F06 (via email)
Commissioner Matt Raymond, Chair
ANC 2F Community Development Committee (via email)
Ms. Jennifer Steingasser, District of Columbia Office of Planning (via email)
Mr. Joel Lawson, District of Columbia Office of Planning (via email)
Mr. Stephen Mordfin, District of Columbia Office of Planning (via email)
Meredith Moldenhauer, Esq. (via email)



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
1232 9th Street, NW	368	911	C-2-A	Area Variance	735.3, 736.5, 739.6

Present use(s) of Property: Pet shop with retail sales, pet grooming, animal boarding/daycare, animal shelter

Proposed use(s) of Property: Pet shop with retail sales, pet grooming, animal boarding/daycare, animal shelter

Owner of Property: Lerson, LLC Telephone No:

Address of Owner: c/o Leila Batties, Esq. / Holland & Knight / 800 17th Street, NW, WDC 20006

Single-Member Advisory Neighborhood Commission District(s): ANC 2F06

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

Applicant seeks special exception approval, pursuant to Sections 735.1, 736.1 and 739.1, in order to permit pet grooming, animal boarding/day care and animal shelter uses on the subject property, and a variance from Sections 735.3, 736.5 and 739.6 of the Zoning Regulations in order to permit the use of the external facilities at the subject property. The subject property is located at 1232 9th Street, NW in the C-2-A District.

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: Jan 7, 2013 Signature*: Leila Batties

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

Name: Leila Batties, Esq E-Mail: leila.batties@hklaw.com

Address: 800 17th Street, NW, Washington DC 20006

Phone No(s):: 202-419-2583 Fax No.:

* 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	3	\$3120.00
TOTAL FOR VARIANCES:			\$3120.00

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		
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:			0

APPEAL:

NCPC/ANCs/Citizens Association/Civic Association/Not-for-Profits	\$0		
All other organizations, groups or persons	\$1,040		
TOTAL FOR APPEALS:			0
GRAND TOTAL:			\$3120.00

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:

Signature:

Exhibit No. _____

Last Revised (10/18/10)

Case No. _____

**Roster of Owners of Real Property at or within 200 Feet (210 Scaled) of
Lot 911, Square 368 -- Washington, DC**

SSL	PREMISES	OWNERS
0368 0051	0920 N St., NW	Corey P. Scott 3101 Caymon Ct. Chesapeake, VA 23321-2444
0368 0052	0918 N St., NW	Michael M. S. Chen 12009 Seven Locks Rd. Potomac, MD 20854-3342
0368 0077 0368 0080 0368 0081 0368 0893	1240 9th St., NW 9th St., NW 1238 9th St., NW 9th St., NW	Terry Perry R. E. Nelson Geoffrey Dawson/ #724 5185 Macarthur Blvd., NW Washington, DC 20016-3341
0368 0101 0368 0102 0368 0103 0368 0104 0368 0105 0368 0111 0368 0112 0368 0113 0368 0114 0368 0115 0368 0116	1209 - 1213 10th St., NW Blagdens Aly., NW Blagdens Aly., NW Blagdens Aly., NW Blagdens Aly., NW 0036 Blagdens Aly., NW 0005 Blagdens Aly., NW 0004 Blagdens Aly., NW 0003 Blagdens Aly., NW 0002 Blagdens Aly., NW 0001 Blagdens Aly., NW	Welch Family Limited Partnerships 910 M St., NW - Apt. 1130 Washington, DC 20001-6337
0368 0106	0046 Blagdens Aly., NW	Michel Verdon 1738 Conn Ave., NW Washington, DC 20009-1103
0368 0107 0368 0108 0368 0109 0368 0110	0044 Blagdens Aly., NW 0042 Blagdens Aly., NW 0040 Blagdens Aly., NW 0038 Blagdens Aly., NW	Michel D. Verdon Stephen Ballard 1738 Conn Ave., NW Washington, DC 20009-1103
0368 0148	0916 N St., NW	Roosevelt Kelly C. Kelly 916 N St., NW Washington, DC 20001-4222

SSL	PREMISES	OWNERS
0368 0149	0914 N St., NW	Frank L. Asher 914 N St., NW Washington, DC 20001-4222
0368 0155	0916 Blagdens Aly., NW	Roy G. Johnson, Jr. 916 Blagden Aly., NW Washington, DC 20001-4267
0368 0162 0368 0163	1234-1238 9th St 922 N. St	Jemal's Blagden Alley LLC 702 H St., NW Washington, DC 20001-3874
0368 0164 0368 0165	1210-1214 9th St 0917 M. St	Self Help Ventures Fund 910 17th St., NW - Ste. 500 Washington, DC 20006-2610
0368 0168	1230 9th St	Nayereh Sahrapour 9026 Jeffery Rd. Great Falls, VA 22066-4151
0368 0802	0905 M St., NW	H. H. Davitt M. Bledsoe 905 M St., NW Washington, DC 20001-4303
0368 0803	0907 M St., NW	John L. Syphax, Trustee 907 M St., NW Washington, DC 20001-4303
0368 0804	0909 M St., NW	James C. Swan 2150 Djibouti Pl. Dulles, VA 20189-2149
0368 0805	0911 M St., NW	Ramona G. Bowden 604 Windy Knoll Dr. Front Royal, VA 22630-6463
0368 0806	0913 M St., NW	Brian W. Shaughnessy Colleen M. Corrigan 913 M St., NW Washington, DC 20001-4380

SSL	PREMISES	OWNERS
0368 0807	0915 M St., NW	Ernest A. Slingsby Larry Lynn 38925 Ridge Ct. Hamilton, VA 20158-3121
0368 0872 0368 0860 0368 0896 0368 0906	1226 9th St., NW 1226 9th St., NW 1218 9th St., NW 1216 9th St., NW	Jemal's 9th St Gang of 3 LLC 702 H St., NW Washington, DC 20001-3874
0368 0869	0925 M St., NW	George F. Tittmann 927 M St., NW Washington, DC 20001-4303
0368 0883	0926 N St., NW	Bishop S. C. Madison Trustee 1665 N. Portal Dr., NW Washington, DC 20012-1053
0368 0884	926 N. St	Furioso Development Corp 1612 16th St., NW Ph Washington, DC 20009-3066
0368 0886 0368 0887	1228 9th St., NW 1228 9th St., NW	1228 9th St LLC 1218 G St., NE Washington, DC 20002-4424
0368 0890	0924 N St., NW	Demetrios Bizbikis 4925 Bel Pre Rd. Rockville, MD 20853-2215
0368 0891	0902 N St., NW	Douglas Jemal Jemal-Moshovitis LLC 702 H St., NW Washington, DC 20001-3734
0368 0909	N. St	934 N. Street Collaborative LLC 5125 8th St., NW Washington, DC 20011-4021
0368 0911	1232 9th St	Lesron LLC 10101 Squires Trl Great Falls, VA 22066-3601

SSL	PREMISES	OWNERS
0368 0912	1250 9th St	J. River 1250 Ninth Street LLC 1345 S St., NW - Ste. 1 Washington, DC 20009-5769
0368 2001	1200 9th St., NW Unit: 100	Ms Trading Co LP 6829 Raling Rd. Springfield, VA 22152
0368 2002 0368 2003	1206 9th St., NW Unit: 101 1208 9th St., NW Unit: 102	T. R. Holmes Elaine Holmes 1345 T St., NW Washington, DC 20009-4438
0368 2004	0901 M St., NW Unit: 201	Judy Yiu 901 M St., NW # 201 Washington, DC 20001-4369
0368 2005	0901 M St., NW Unit: 301	Stephen A. Goldenberg Tara L. Goldenberg 901 M St., NW Unit 301 Washington, DC 20001-4369
0368 2006	0901 M St., NW Unit: 401	Yisgedullish Amde Guenaye Amde 901 M St., NW - Apt. 401 Washington, DC 20001-4369
0368 2007	0901 M St., NW	Douglas A. Olson 901 M St., NW # 501 Washington, DC 20001-4369
0368 2008	0903 M St., NW	Michael J. Savitch 903 M St., NW # A. Washington, DC 20001-4318
0368 2009	0903 M St., NW	Maureen E. Getcliffe Beverly A. Coulter 225 Littleton Rd. Morris Plains, NJ 07950-2927
0368 2010	0903 M St., NW	Darryl Pounds Unit C. 903 M St., NW Washington, DC 20001-4318

SSL	PREMISES	OWNERS
0368 2011	0903 M St., NW	Gurie E. Maxwell 106 Geneva Ave. Silver Spring, MD 20910-5105
0368 2012	0903 M St., NW	Spw Builders Inc. 6303 Zekan Ln. Springfield, VA 22150-1015
0368 2030	0922 N. St, 101	Teferi Zewdou 3018 V Pl., SE Washington, DC 20020-3357
0368 2031	0922 N. St, 201	Mykolas D. Rambus 168 Price Ct. West New York, NJ 07093-8304
0368 2032	0922 N. St, 301	Laura G. Gardner 1763 Columbia Rd., NW - Apt. 508 Washington, DC 20009-2890

0400	0031	8th St., NW	District of Columbia 1133 N. Capitol St., NE Washington, DC 20002-7549
0400	0039	9th St., NW	
0400	0040	9th St., NW	
0400	0050	8th St., NW	
0400	0808	9th St., NW	
0400	0810	9th St., NW	
0400	0811	9th St., NW	
0400	0812	9th St., NW	
0400	0813	9th St., NW	
0400	0814	9th St., NW	
0400	0815	9th St., NW	
0400	0816	9th St., NW	
0400	0817	9th St., NW	
0400	0818	9th St., NW	
0400	0829	8th St., NW	
0400	0830	8th St., NW	
0400	0831	8th St., NW	
0400	0832	8th St., NW	
0400	0833	8th St., NW	
0400	0834	8th St., NW	
0400	0835	1228 8th St., NW	
0400	0836	8th St., NW	
0400	0837	8th St., NW	
0400	0838	8th St., NW	
0400	0839	8th St., NW	
0400	0840	8th St., NW	
0400	0841	8th St., NW	
0400	0844	9th St., NW	
0400	0845	9th St., NW	
0400	0848	1239 9th St., NW	
0400	0849	1239 9th St., NW	
0400	0850	8th St., NW	
0400	0852	9th St., NW	
0400	0853	8th St., NW	
0400	0854	0801 - 0899 M St., NW	

#11491679_v1

1029

WAGTIME II LLC
900 M STREET SE
WASHINGTON, DC 20003

DATE 1/3/13

68-884-560

PAY
TO THE
ORDER OF

PC Treasurer

\$ 3120.⁰⁰

Thirty one hundred twenty \$01.00

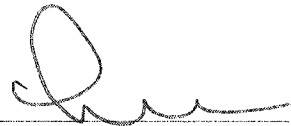
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FOR

Zoning application



⑈001029⑈ ⑆056008849⑆5060092862⑈

Corey P. Scott
3101 Caymon Ct.
Chesapeake, VA 23321-2444

Michael M. S. Chen
12009 Seven Locks Rd.
Potomac, MD 20854-3342

Terry Perry
R. E. Nelson
Geoffrey Dawson/ #724
5185 Macarthur Blvd., NW
Washington, DC 20016-3341

Welch Family Limited Partnerships
910 M St., NW - Apt. 1130
Washington, DC 20001-6337

Michel Verdon
1738 Conn Ave., NW
Washington, DC 20009-1103

Michel D. Verdon
Stephen Ballard
1738 Conn Ave., NW
Washington, DC 20009-1103

Roosevelt Kelly
C. Kelly
916 N St., NW
Washington, DC 20001-4222

Frank L. Asher
914 N St., NW
Washington, DC 20001-4222

Roy G. Johnson, Jr.
916 Blagden Aly., NW
Washington, DC 20001-4267

Jemal's Blagden Alley LLC
702 H St., NW
Washington, DC 20001-3874

Self Help Ventures Fund
910 17th St., NW - Ste. 500
Washington, DC 20006-2610

Nayereh Sahrapour
9026 Jeffery Rd.
Great Falls, VA 22066-4151

H. H. Davitt
M. Bledsoe
905 M St., NW
Washington, DC 20001-4303

John L. Syphax, Trustee
907 M St., NW
Washington, DC 20001-4303

James C. Swan
2150 Djibouti Pl.
Dulles, VA 20189-2149

Ramona G. Bowden
604 Windy Knoll Dr.
Front Royal, VA 22630-6463

Brian W. Shaughnessy
Colleen M. Corrigan
913 M St., NW
Washington, DC 20001-4380

Ernest A. Slingsby
Larry Lynn
38925 Ridge Ct.
Hamilton, VA 20158-3121

Jemal's 9th St Gang of 3 LLC
702 H St., NW
Washington, DC 20001-3874

George F. Tittmann
927 M St., NW
Washington, DC 20001-4303

Bishop S. C. Madison Trustee
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Washington, DC 20012-1053

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Washington, DC 20009-3066

1228 9th St LLC
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Washington, DC 20002-4424

Demetrios Bizbikis
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Rockville, MD 20853-2215

Douglas Jemal Jemal-Moshovitis LLC
702 H St., NW
Washington, DC 20001-3734

934 N. Street Collaborative LLC
5125 8th St., NW
Washington, DC 20011-4021

Lesron LLC
10101 Squires Trl
Great Falls, VA 22066-3601

J. River 1250 Ninth Street LLC
1345 S St., NW - Ste. 1
Washington, DC 20009-5769

Ms Trading Co LP
6829 Raling Rd.
Springfield, VA 22152

T. R. Holmes
Elaine Holmes
1345 T St., NW
Washington, DC 20009-4438

Judy Yiu
901 M St., NW # 201
Washington, DC 20001-4369

Stephen A. Goldenberg
Tara L. Goldenberg
901 M St., NW Unit 301
Washington, DC 20001-4369

Yisgedullish Amde
Guenaye Amde
901 M St., NW - Apt. 401
Washington, DC 20001-4369

Douglas A. Olson
901 M St., NW # 501
Washington, DC 20001-4369

Michael J. Savitch
903 M St., NW # A.
Washington, DC 20001-4318

Maureen E. Getcliffe
Beverly A. Coulter
225 Littleton Rd.
Morris Plains, NJ 07950-2927

Darryl Pounds
Unit C.
903 M St., NW
Washington, DC 20001-4318

Gurie E. Maxwell
106 Geneva Ave.
Silver Spring, MD 20910-5105

Spw Builders Inc.
6303 Zekan Ln.
Springfield, VA 22150-1015

Teferi Zewdou
3018 V Pl., SE
Washington, DC 20020-3357



Mykolas D. Rambus
168 Price Ct.
West New York, NJ 07093-8304

Laura G. Gardner
1763 Columbia Rd., NW - Apt. 508
Washington, DC 20009-2890

District of Columbia
1133 N. Capitol St., NE
Washington, DC 20002-7549

