



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 1st Street, NE	713	53	C-3-C	Special Exception	770.6 (b)
				Area Variance	2201.1
				Area Variance	776
Present use(s) of Property:	bus terminal				
Proposed use(s) of Property:	mixed use project with office, retail and residential				
Owner of Property:	FP Perseus 53-713 LLC			Telephone No:	202-741-1895
Address of Owner:	7600 Wisconsin Avenue, 11th Floor, Bethesda MD 20814-3657				
Single-Member Advisory Neighborhood Commission District(s):	ANC 6C06 (2013)				

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

FP Perseus 53-713 LLC seeks special exception approval and the granting of certain variances in order to permit the redevelopment of the property located at 1005 1st Street, NE (Square 713, Lot 53) with a mixed use project that consists of approximately 342,267 s.f. of office use, approximately 65,075 s.f. of retail use and approximately 264,351 s.f. of residential use. Specifically, the project requires special exception approval from the roof structure requirements and variances from the requirements for loading and courts. The subject property is zoned C-3-C.

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:	December 18, 2012	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.

18516
Board of Zoning Adjustment
District of Columbia
CASE NO. 18516
EXHIBIT NO. 1

Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564
Holland & Knight LLP | www.hklaw.com

Leila Marie Jackson Batties
(202) 419-2583
leila.batties@hklaw.com

December 19, 2012

Via Hand Delivery

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

Re: **FP Perseus 53-713 LLC**
BZA Application for a Portion of Lot 53, Square 713

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D.C. OFFICE OF ZONING
2012 DEC 20 PM 2:05

Dear Board Members:

On behalf of FP Perseus 53-713 LLC, the owner of the subject property, which consists of Lot 53 in Square 713 (the "Property"), we submit an application and supporting materials pursuant to 11 DCMR Section 3104.1 for special exception approval and approval of certain variances in order to permit the redevelopment of the subject property with a mixed use project that includes office, residential and retail uses. Enclosed are one original and 20 copies of the following materials:

- completed BZA Form 120 (application);
- completed BZA Form 135 (self-certification);
- copy of the plat for the subject property;
- architectural drawings for the proposed project;
- statement of existing and intended uses of the subject property;
- preliminary statement explaining how the application meets the specific tests identified in the Zoning Regulations; and
- photographs of the subject property.

Atlanta | Boston | Chicago | Fort Lauderdale | Jacksonville | Lakeland | Los Angeles | Miami | New York | Northern Virginia | Orlando
Portland | San Francisco | Tallahassee | Tampa | Washington, D.C. | West Palm Beach

Additionally, we have included the following:

- 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 \$4680.00; and
- An authorization letter from FP Perseus 53-713 LLC 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: *Leila M. Jackson Batties*
Leila M. Jackson Batties

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Enclosures

cc: Ms. Jennifer Steingasser, Office of Planning (via hand delivery)
Mr. Joel Lawson, Office of Planning (via hand delivery)
Advisory Neighborhood Commission 6C c/o Karen Wirt, Chair (via U.S. Mail)
Commissioner Scott Prince, SMD Representative ANC 6C06 (via email)