



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<br>Use Variance<br>Special Exception | Section(s) of Title 11 DCMR -<br>Zoning Regulations from<br>which relief is being sought |
| 1550 Pennsylvania Avenue, SE | 1077   | 130        | C-2-A            | Area Variance                                      | 2101, 2115, 2201                                                                         |
|                              |        |            |                  | Special Exception                                  | 411                                                                                      |
|                              |        |            |                  |                                                    |                                                                                          |
|                              |        |            |                  |                                                    |                                                                                          |

Present use(s) of Property: Used car sales

Proposed use(s) of Property: Multi-family residential

Owner of Property: Clifford T. Clark

Telephone No:

Address of Owner: 1613 Independence Avenue, SE Washington DC 20003

Single-Member Advisory Neighborhood Commission District(s): 6B09

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

A five story residential building with approximately 80-84 units is proposed on the property. The project seeks variance relief from the loading requirements of 11 DCMR 2201 as it will not provide a 12' X 55' foot loading berth. The project seeks variance relief from the parking requirements of 11 DCMR 2101 as it will include 31 parking spaces rather than the required 42 parking spaces and the parking spaces will include compact spaces in a garage of less than 25 parking spaces and the compact spaces are grouped in sets of less than five contiguous spaces. The project also seeks special exception relief to provide a roof structure of varying height.

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: 2/11/13

Signature\*:

Paul A. T. Tummonds

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

Name: Paul Tummonds

E-Mail:

ptummonds@goulstonstorrs.com

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

Phone No(s): 202-721-1157

Fax No.:

202-263-0557

\* 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.

18544

Board of Zoning Adjustment  
District of Columbia

CASE NO. 18544

EXHIBIT NO. 1

## INSTRUCTIONS

**Any application that is not completed in accordance with the following instructions shall not be accepted.**

1. All applications shall be made pursuant to this form. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form (drawings and plans may be no larger than 11" x 17")
2. Present this form and supporting documents, in person, to the Office of Zoning at 441 4<sup>th</sup> Street, N W, Suite 200-S, Washington, D C 20001. **(All applications must be submitted before 3:00 p.m.)**
3. At the time of filing this application before the Board of Zoning Adjustment (BZA), the Applicant shall complete and submit a Form 126 - Board of Zoning Adjustment Fee Calculator - and pay a filing fee in accordance with the BZA Schedule of Fees - 11 DCMR §3180. **(Check or money order is payable to the "DC Treasurer"; cash and credit/debit card payments will not be accepted.)**
4. If seeking an Expedited Review pursuant to § 3118.2, the applicant shall complete and submit a Form 128 - Waiver of Hearing for Expedited Review
5. **At the time of filing this application, all applicants are REQUIRED to submit the following information (including one (1) original and twenty (20) collated copies):**
  - A. Either a memorandum from the Zoning Administrator at DCRA directing the applicant to the BZA or a Form 135 - Zoning Self-Certification, which requires certification by a licensed architect or attorney
  - B. A plat, drawn to scale and certified by a DC licensed survey engineer or the D C Office of the Surveyor, showing boundaries and dimensions of the existing and proposed structures and accessory buildings and structures
  - C. Architectural plans and elevations in sufficient detail to clearly illustrate any proposed structure to be erected or altered, proposed landscaping/screens, and building materials. Submittal of plat and plans shall not exceed 11" x 17" in size. (See Form 130 - Required Specifications for Plats, Plans and Elevations - for the required information on these drawings.)
  - D. A detailed statement of existing and intended use of the structure
  - E. A detailed statement explaining how this application meets the specific tests identified in the Zoning Regulations for variance (area and/or use), special exception or other specific relief being sought. (See the Form 120 Addendum - Applicant's Burden of Proof for Variance and Special Exception Applications.)
  - F. Three **color** images, not-to-exceed 8½" x 11", showing pertinent features of the structure and the property involved (front, rear, and sides, if possible and applicable)
  - G. The names and mailing addresses of the owners of all property within 200 feet, in all directions from all boundaries of the property involved in the application, **and two (2) sets of self-stick labels of the names and mailing addresses of the owners of the properties.** (Note: This information is most readily available from the D C Department of Tax and Revenue, Tax Assessors, 1101 4<sup>th</sup> Street, SW - West Building, Washington, D C 20024.)
  - H. The name and mailing address of any individual who has a lease with the owner for all or part of any structure located on the property involved in the application
  - I. Documentation or a copy of the Certificate of Occupancy showing the current authorized use. In cases where a change from a conforming use to a non-conforming use is requested, provide a copy of the past authorized uses

**Note:** All applications are referred for review and recommendation to the Office of Planning (OP) and the Advisory Neighborhood Commission (ANC) within which the affected property is located. Their reports are given "great weight" in the BZA decision-making process. Applicants are strongly encouraged to contact these agencies to discuss the merits of their application. OP can be reached at (202) 442-7600. ANC information can be ascertained by contacting the Office of Advisory Neighborhood Commissions at (202) 727-9945.



**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.**

District of Columbia Office of Zoning

441 4th Street, N.W. Ste. 200 S, Washington, D.C. 20001

(202) 727 6311 \* (202) 727 6072 fax \* [www.dcoz.dc.gov](http://www.dcoz.dc.gov) \* [dcoz@dc.gov](mailto:dcoz@dc.gov)

February 12, 2013

**HAND DELIVERY**

Lloyd Jordan, Chairperson  
D C Board of Zoning Adjustment  
441 4<sup>th</sup> Street, NW, Suite 200 South  
Washington, DC 20001

RECEIVED  
D.C. OFFICE OF ZONING  
2013 FEB 12 AM 11:30

Re     Application for Special Exception and Variance Relief for property located at  
       1550 Pennsylvania Avenue, SE (Lot 130 in Square 1077)

Dear Chairperson Jordan

Penn Avenue Partnership LLC (the “Applicant”) hereby submits an application for special exception and variance relief for the development of a proposed residential project located at 1550 Pennsylvania Avenue, SE (the “Property”) The Property is located in the C-2-A Zone District Enclosed please find the following materials in support of the special exception and variance application

- Detailed statement of the existing and intended use of the Property and the Applicant’s satisfaction of the relevant Special Exception and Variance standards,
- Architectural plans of the proposed building and color images of the Property and the surrounding area (Exhibit A to the attached statement),
- A Plat, prepared by the DC Surveyor’s Office, which includes the Property and the footprint of the proposed building on the Property (Included in Exhibit A of the attached statement),
- BZA Application form, BZA Self-Certification form, agent authorization letter, and BZA Fee Calculator form (Exhibit B to the attached statement);
- The names and mailing addresses of the owners of all property within 200 feet of the Property (Exhibit C to the attached statement), and

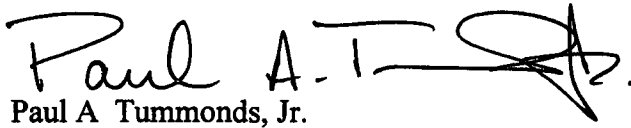
Lloyd Jordan  
February 12, 2013  
Page 2

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- A check in the amount of \$5,720 00 made payable to the DC Treasurer

Please feel free to contact the undersigned if you have any questions regarding this application and the attached materials

Sincerely,

  
Paul A Tummonds, Jr.

Encl

cc Certificate of Service

RECEIVED  
D.C. OFFICE OF ZONING  
2013 FEB 12 AM 11:38

**Certificate of Service**

I hereby certify that I sent a copy of the foregoing document to the following addresses on February 12, 2013 by first class mail.

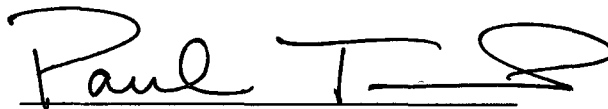
Joel Lawson  
Office of Planning  
1100 4<sup>th</sup> Street, SW  
Suite E650  
Washington, DC 20024

Byron White  
District Department of Transportation  
55 M Street, SE  
Suite 400  
Washington, DC 20003

ANC 6B  
921 Pennsylvania Avenue, SE  
Washington, DC 20003

Brian Flahaven  
ANC 6B09  
1628 Potomac Avenue, SE  
Washington, DC 20003

RECEIVED  
D C OFFICE OF ZONING  
2013 FEB 12 AM 11:08



Paul Tummonds