



**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
4529 MacArthur Blvd NW	1363	0954	R5A		

Present use(s) of Property: Single Family Detached Dwelling

Proposed use(s) of Property:

Owner of Property: Hashim Hassan

Telephone No

202-271-9241

Address of Owner: 4812 Ellicott St NW, Washington, DC 20016

Single-Member Advisory Neighborhood Commission District(s): SMD -3D09

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

The owner of 4529 MacArthur Blvd NW desires to build new multi family housing. ~~due to the lot is situated on corner owner is looking for determination of the front of building, side and rear setbacks of new building~~ Also owner is looking for change of use from single family house to multi-family housings. Proposed building meets all DC Zoning Regulation Title 11 (R-5-A Zone)

RECEIVED
D.C. OFFICE OF ZONING
2013 MAY -3 PM 1:11

Deleted.
Hashim Hassan
5/1/13.

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:

2/20/13

Signature*:

hashim hassan

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

Name:

MASHIM HASSAN

E-Mail:

thihainc@yahoo.com

Address:

4812 ELLICOTT ST. NW WASH DC 20016

Phone No(s):

202-271-9241

Fax No.:

202-330-5200

* 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.

18553

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO.

18553

EXHIBIT NO.

25

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 8 1/2" 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.)	4915 SF	N/A	N/A	4915 SF	
Lot Width (ft. to the tenth)	33.33' TO 43.9'	N/A	N/A	33.33' TO 43.9'	
Lot Occupancy (building area/lot area)	0.261	N/A	0.4	0.397	
Floor Area Ratio (FAR) (floor area/lot area)	0.445	N/A	0.9	0.894	
Parking Spaces (number)	1	N/A	N/A	4	
Loading Berths (number and size in ft.)	N/A	N/A	N/A	N/A	
Front Yard (ft. to the tenth)	29'	N/A	N/A	12.5'	
Rear Yard (ft. to the tenth)	48.3'	20'	N/A	33.5'	
Side Yard (ft. to the tenth)	8'	8'	3" PER FOOT OF HEIGHT OF BUILDING	9.5'	
Court, Open (width by depth in ft.)	N/A	N/A	N/A	N/A	
Court, Closed (width by depth in ft.)	N/A	N/A	N/A	N/A	
Height (ft. to the tenth)	26' +/-	N/A	40'	37.5'	

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.



May 1st, 2013

DC Board of Zoning Adjustment
441 4th Street, NW
Suite 200 South
Washington, DC 20001

BZA Application No. 18553 for 4529 MacArthur Blvd., NW, Washington, DC 20007
Special Exceptions (DCMR 3104.1) under Section 353 -New Residential Developments in R5A.

I hereby request the Board of Zoning Adjustment for a Special Exception to allow for the construction of a new 4 unit apartment building under Section 353.

Aerial View-4529 MacArthur Blvd NW



Property Location:

Corner of MacArthur Blvd and Q Street NW.
Hardy Recreation Center in the back with tennis courts and large green space.
Q St on left side. MacArthur Blvd frontage.

Neighborhood Description:

Immediate area along the MacArthur Blvd is mostly apartment and condominium buildings with surface parking lots. Most are between 3-4 levels above grade with paved surface parking lots.

Zoning Description:

Lot Area: 4,977 SF

Zoning : R-5-A. Apartment and Flats are permitted Use.

	Allowable	Proposed
FAR	0.9 FAR	0.9 FAR
Max Height	40 ft	37.5 ft
Number of Stories:	3 stories	3 stories
Lot Occupancy:	40%	39%
Rear Yard Requirement:	20 ft	33.5 ft
Side Yard Requirement:	8 ft	10-17 ft
Parking:	1 per unit	1 per unit

353 NEW RESIDENTIAL DEVELOPMENTS (R-5-A)

353.1 In R-5-A Districts, all new residential developments, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment as special exceptions under § 3104 in accordance with the standards and requirements in this section.

The special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not affect adversely, the use of neighboring property, in accordance with the Zoning Regulations and Zoning Maps.

The proposed building meets all the zoning regulations for height, FAR, side yard and rear yard requirements, lot occupancy and parking requirements.

Compatibility-The proposed use and building is compatible with neighboring properties as the existing properties along MacArthur Blvd are mainly apartment and condominium buildings of various sizes. Most buildings are 3 to 4 levels above grade with paved surface parking lots. The facades vary considerably along MacArthur Blvd. Most are brick with flat roofs. Red and tan brick colors are the primary colors in the area.

The proposed building will be red brick with dark grey window frames. The design and the size are very compatible with the existing characteristics of the other properties along MacArthur Blvd.

Height-The proposed building will be only 37.5 feet tall and is below the allowable maximum height under the current RSA zoning and lower in height than the immediate neighboring apartment buildings directly across from this property on MacArthur Blvd.

353.2 The Board shall refer the application to the D.C. Board of Education for comment and recommendation as to the adequacy of existing and planned area schools to accommodate the numbers of students that can be expected to reside in the project.

The proposed building will not generate large amount of students because these are smaller units with only two bedrooms and will be more suitable for working professionals with typical household of 1 to 2 adults.

353.3 The Board shall refer the application to the D.C. Departments of Transportation and Housing and Community Development for comment and recommendation as to the adequacy of public streets, recreation, and other services to accommodate the residents of the project and the relationship of the proposed project to public plans and projects.

Parking-The proposed building will meet the parking requirements in compliance with the zoning regulations. Four parking spaces are provided for 4 units. Furthermore, I will not be requesting any curb cuts. In fact, I will be eliminating an existing curb cut on Q Street. This will help improve the traffic flow on Q Street.

Additionally, there is a Metro bus stop directly in front of the property so it is very likely that the owners/tenants will use public transportation as well.

353.4 The Board shall refer the application to the D.C. Office of Planning for comment and recommendation on the site plan, arrangement of buildings and structures, and provisions of light, air, parking, recreation, landscaping, and grading as they relate to the future residents of the project and the surrounding neighborhood.

Light and Air-The property is a corner lot with Q Street on west side and MacArthur Blvd on North Side and Hardy Recreation Center and its grounds of grassy field and tennis courts on the south in the rear of the property. The Hardy Recreation Center and its massive grounds provide ample light and air to all properties in the immediate area.

The proposed building will provide upto 17.5 feet of side yard space between this proposed building and the property line. The existing side yard is less than 8 feet. Therefore, light and air to the neighboring property will not be adversely affected.

Landscaping-The existing property has large number of evergreen trees along the perimeter. These existing trees will be protected, preserved and maintained. Large Elm tree in the front of the property will also be protected and provides a wonderful screening. Additional trees and shrubs will be planted on the east side yard and rear yard to provide the screening. Due to these existing trees, the proposed building will not be much visible from the street.

Fence-There is an existing wood fence on the east side of the property line. This wood fence will be protected and improved. The fence along with the existing and additional landscaping will provide the screening tree canopy and will not adversely affect the neighboring property.

For these above reasons, I hereby request the Board's consideration and approval for this special Exception as it fulfills the criteria required by the zoning regulations.

Respectfully,


Hashim Hassan



BEFORE THE BOARD OF ZONING ADJUSTMENT
DISTRICT OF COLUMBIA



FORM 135 – ZONING SELF-CERTIFICATION

Project Address(es)	Square	Lot(s)	Zone District(s)
4529 MacArthur Blvd NW	1363	0954	R5A

Single-Member Advisory Neighborhood Commission District(s): SMD-3D09

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			SECTION 353

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.

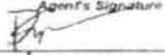
The undersigned agent and owner acknowledge that they are assuming the risk that the owner may require additional or different zoning relief from that which is self-certified in order to obtain, for the above referenced project, any building permit, certificate of occupancy, or other administrative determination 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) Hashim Hassan	
Agent's Signature 		Agent's Name (Please Print) Douglas See Lin	
Date	D.C. Bar No.	or	Architect Registration No. 706005273

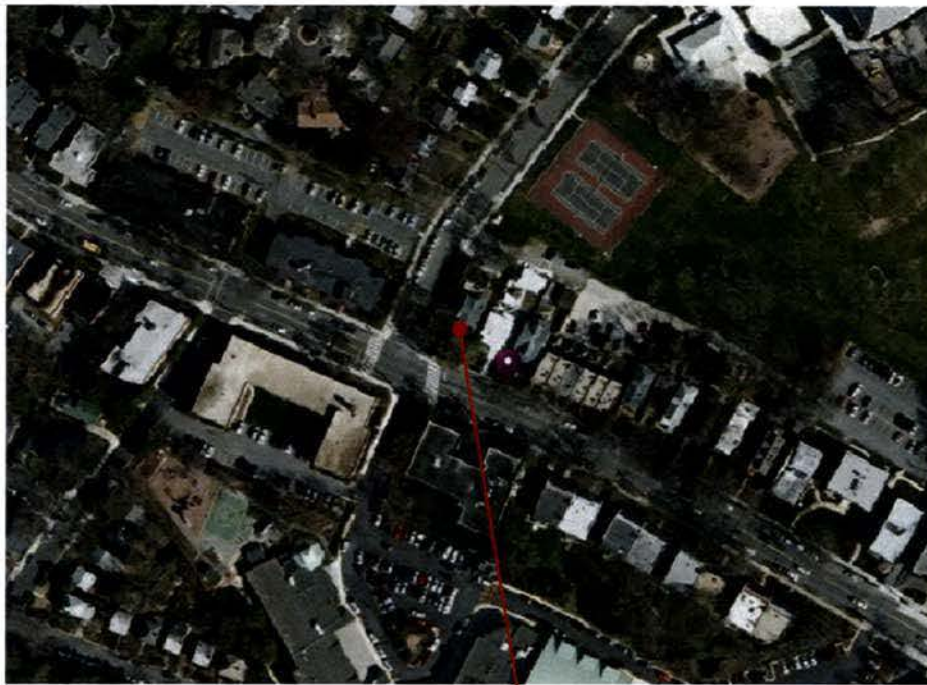
FOR OFFICIAL USE ONLY

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

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

Case No. _____

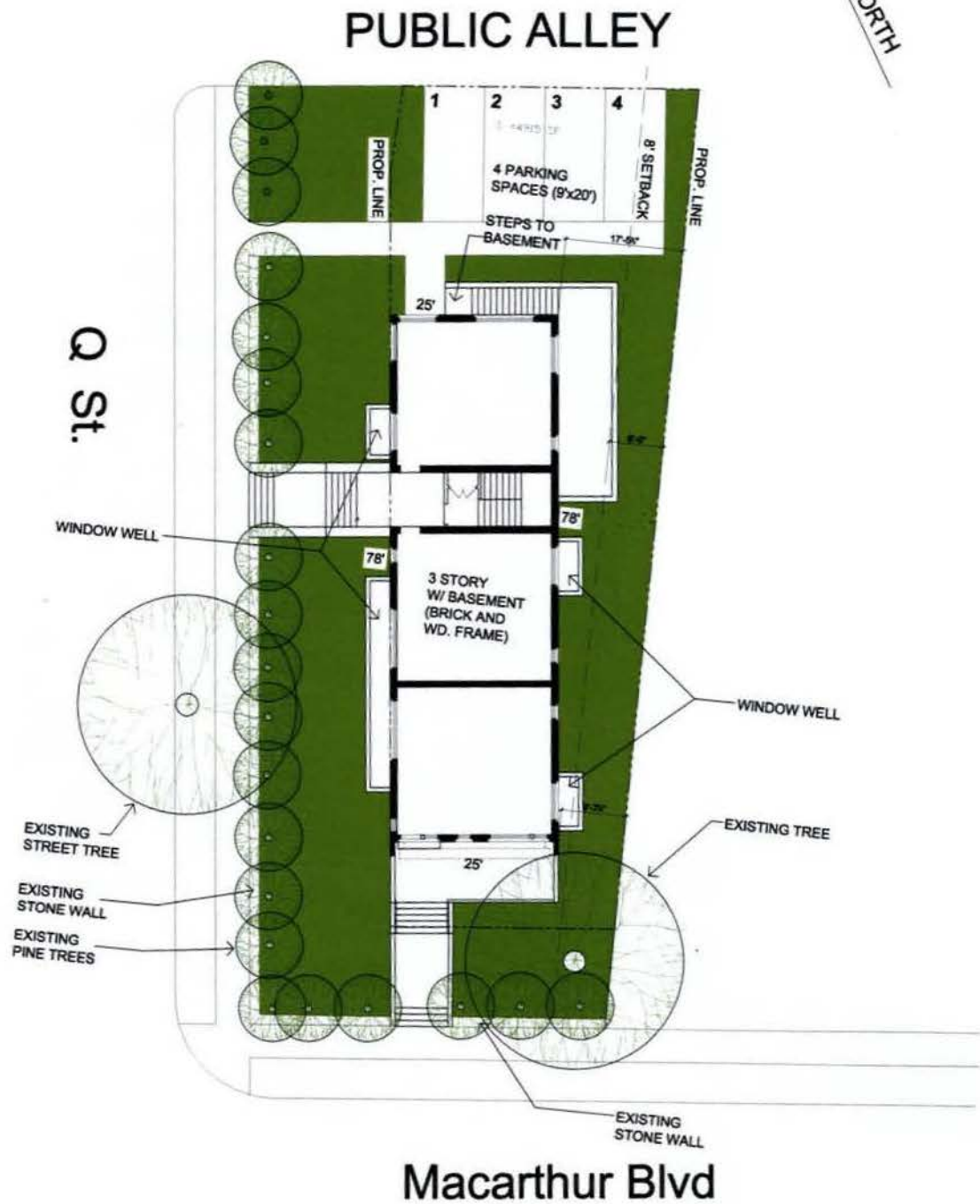


PROPOSED SITE

ZONING CODE

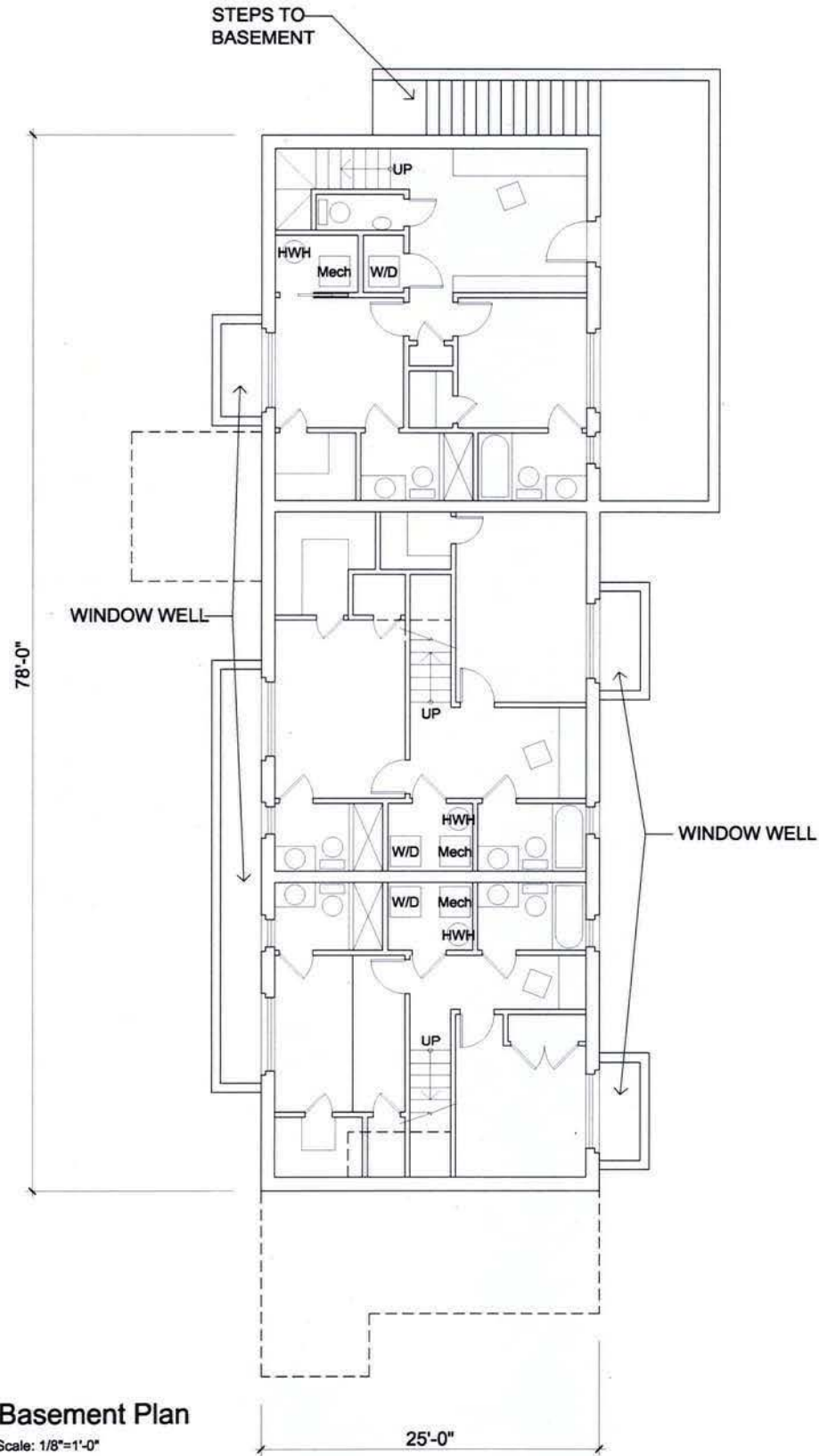
ADDRESS	4529 MacArthur Blvd, NW
LOT:	0954
BLOCK:	1363
ZONE:	R-5-A
ANC:	3D
LOT SIZE	4,915 SQFT

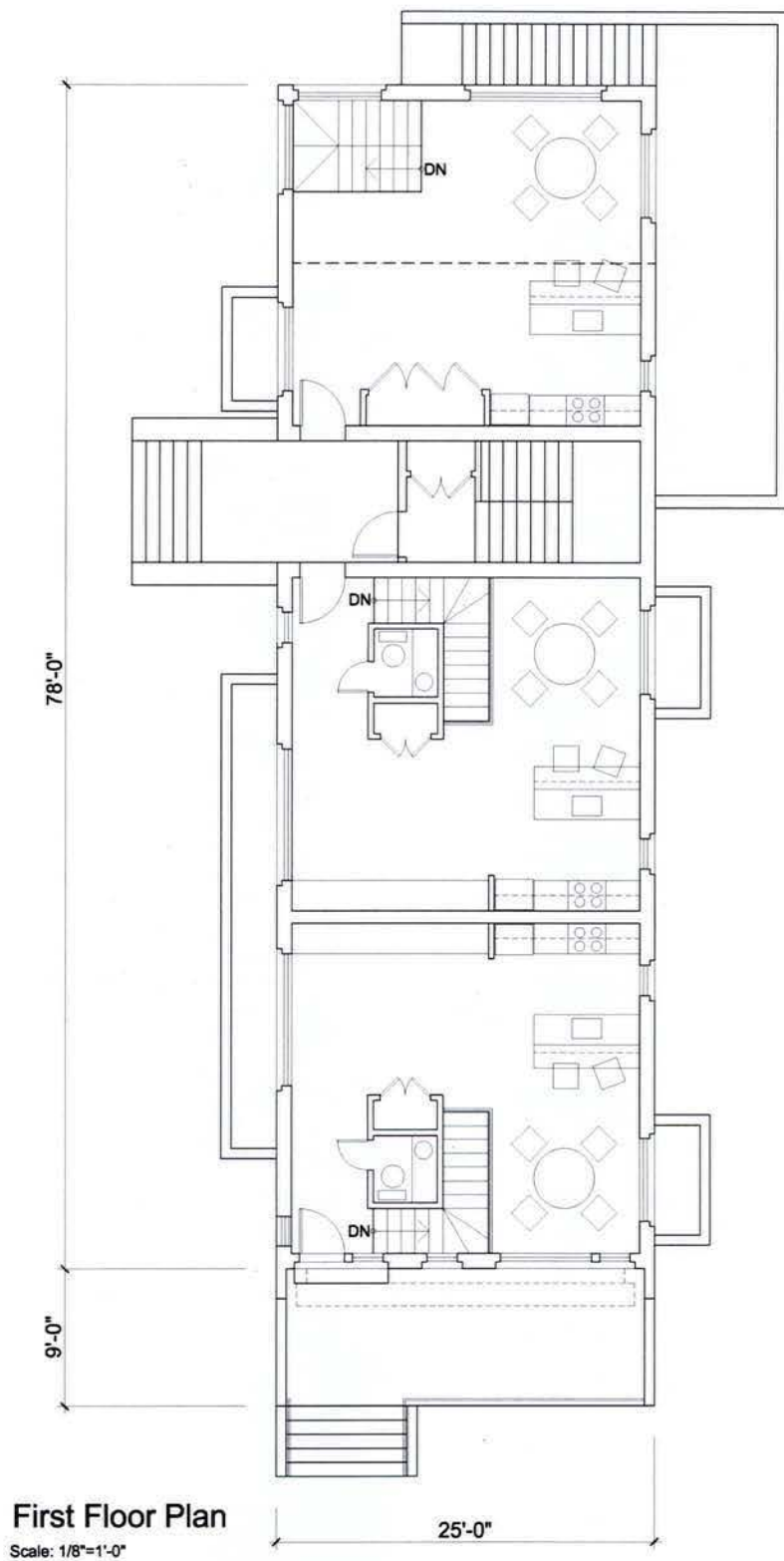
	ALLOWABLE	PROPOSED
LOT OCCUPANCY	40% - 1,966 sqft	39.67% - 1,950 sqft
MAX. FAR	0.9	0.9
MAX. STORIES	3	3
MAX. HEIGHT	40'	37'-6"
FRONT YARD SETBACK	0'	12'-6" on MacArthur Blvd, NW
FRONT YARD SETBACK	0'	0' on Q St., NW
SIDE YARD SETBACK	3" per foot of Height of building, but not less than 8'	38' Average Height x 3" per foot of building = 9'-6" Min Setback
REAR YARD SETBACK	20'	33'-6"

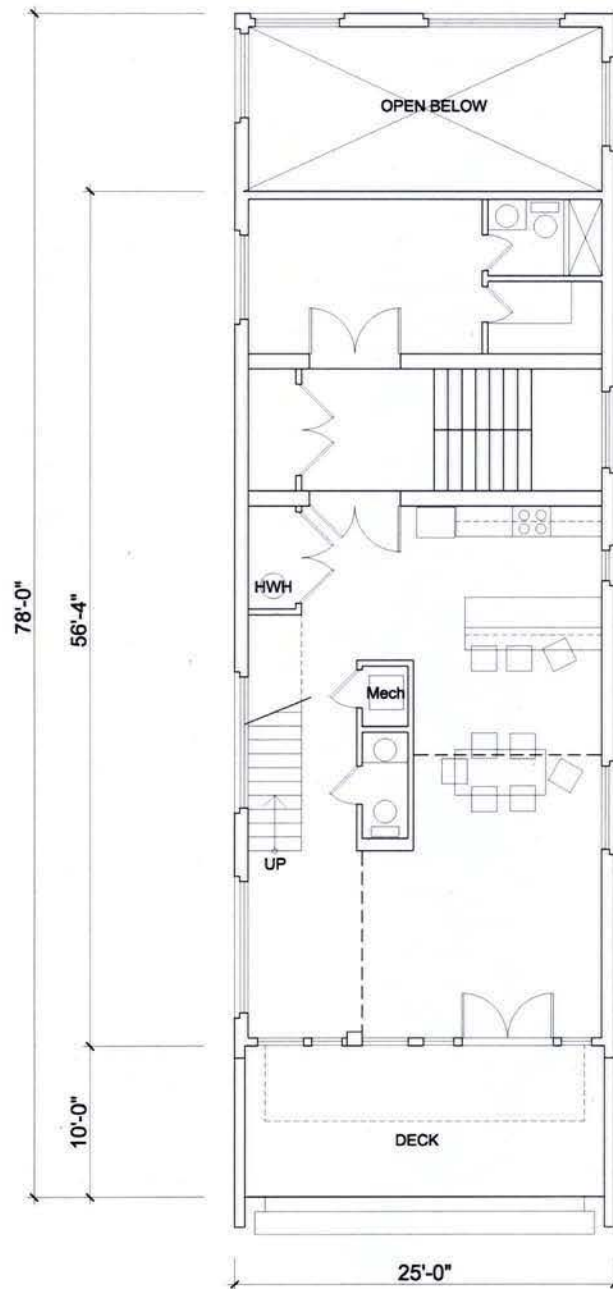


Site Plan
Scale: 1/16"=1'-0"

4529 Macarthur Blvd
Washington DC

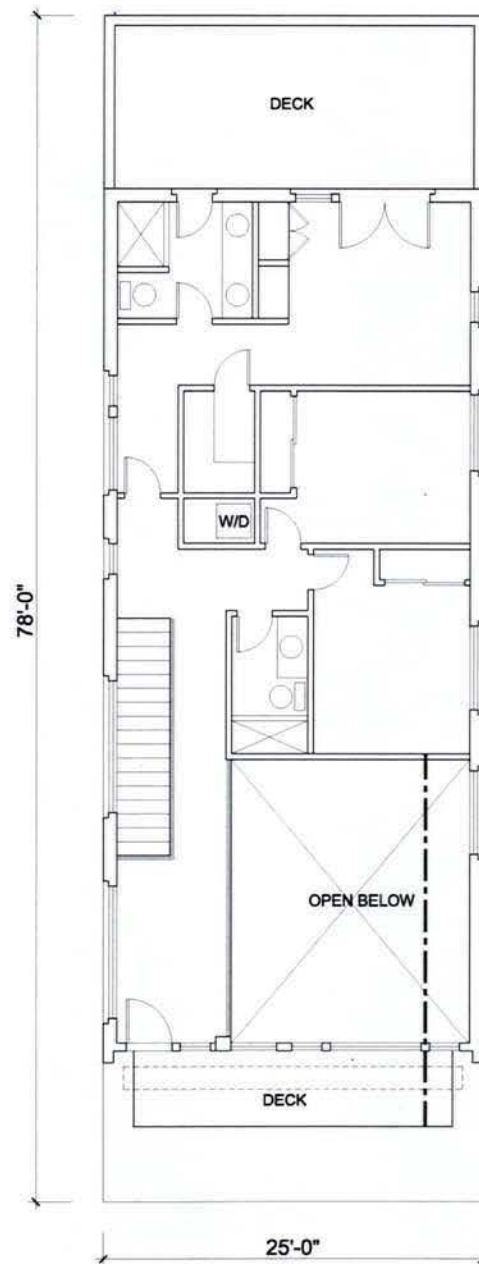






Second Floor Plan

Scale: 1/8"=1'-0"



Third Floor Plan

Scale: 1/8"=1'-0"



Q st. Elevation

Scale: 1/8"=1'-0"

4529 Macarthur Blvd
Washington DC



APR. 15, 2013



Macarthur Blvd Front Elevation

Scale: 1/8"=1'-0"



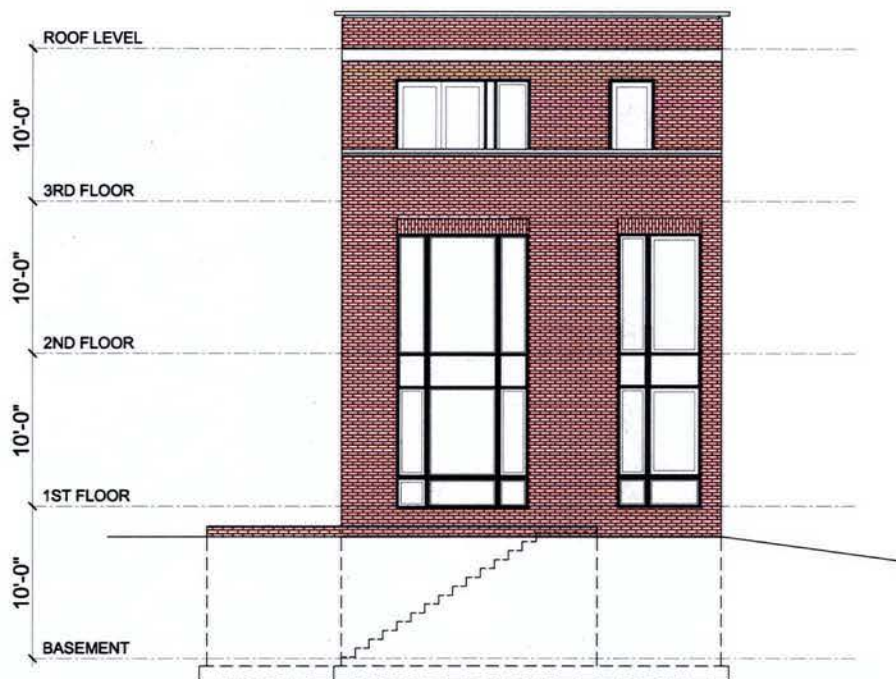
Side Elevation

Scale: 1/8"=1'-0"

4529 Macarthur Blvd
Washington DC



APR. 15, 2013



Public Alley Rear Elevation

Scale: 1/8"=1'-0"

4529 MacArthur Blvd, NW, Washington, DC 20007

- **The property is zoned R5A.**
- **R5A Zoning-Allows for a multi-family building.**
- **Meet all the zoning requirements, Height, Parking, FAR, Side Yards and Rear Yard, and Front Yard.**
- **Compatible with the neighboring properties.**

4529 MacArthur Blvd NW, Washington DC 20007

- It is **Compatible** with the neighboring properties in accordance with the Zoning Regulations and Zoning maps and **will not affect adversely to the neighboring properties.**
- **Compatibility-** MacArthur Blvd and Q Street intersection currently is **mainly multi-family brick apartment buildings of 3 to 4 levels with surface parking lots in the rear. The new building will be similar color of brick as the neighboring properties and similar color windows.**
- **Existing Uses-** The proposed request is in line with the existing uses of the immediate neighborhood.
- **Light and Air-** The proposed property will also provide more side yard space than existing . In fact, the side yard buffer will increased to as much as 17 ft. The zoning requirement is only 8 ft. Thus the neighbors will have plenty of light and air.
- **Parking-** The existing parking is only 1 car garage. The proposed development will have parking for 4 cars. And all the parking will be coming form the alley. Thus improving the traffic flow by eliminating the existing driveway from Q Street. So far, DDOT doesn't have any objections.
- **Height-** The proposed **new building will be lower than maximum height allowable** in the R5A zoning. Furthermore, the existing perimeter trees will provide the desired landscape screen and privacy.
- **Landscaping-** The existing evergreens and the large Elm tree will be preserved. Additional trees are to be planted on the east side between the neighbor's property and the my property.

Front of my property looking West
Side on MacArthur Blvd. (Right)



View from the front porch-Large Apartment Buildings



Front of the Property at MacArthur and Q St. Bus Stop.



Front of the property looking at East on MacArthur (Left)



Similar Buildings on MacArthur Blvd

