



**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
3343 Prospect Street, N.W.	1220	30	R-3	Special Exception	2003.1

Present use(s) of Property: Upholstering Furniture store

Proposed use(s) of Property: Yoga studio, apparel/accessories/home goods/furnishings

Owner of Property: JEMAL'S PROSPECT'S LLC Telephone No: 202-638-6300

Address of Owner: 702 H Street, N.W. Suite 400 Washington, DC 20001

Single-Member Advisory Neighborhood Commission District(s): 2E03

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

Application of Jemal's Prospect's LLC, pursuant to 11 DCMR Sections 2001.3 and 3104 of the Zoning Regulations, for a special exception to change a nonconforming use of "upholstering furniture" to a "yoga studio, apparel/accessories/home goods/furnishings" use, in an R-3 District at premises 3343 Prospect Street, N.W. (Square 1220, Lot 30).

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:	March 5, 2013	Signature*:	
To be notified of hearing and decision (Owner or Authorized Agent*):			
Name:	Kyros L. Freeman, Esq.	E-Mail:	kyros.freeman@hklaw.com
Address:	800 17th Street, N.W., Suite 1100 Washington, DC 20006		
Phone No(s).:	202-862-5978	Fax No.:	202-955-5564

* 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.

18555

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

Kyrus Lamont Freeman
(202) 862-5978
kyrus.freeman@hklaw.com

March 7, 2013

Via Hand Delivery

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

Re **BZA Application – 3343 Prospect Street, N.W. (Square 1220, Lot 30)**

Dear Board Members:

On behalf of Jemal's Prospect's LLC, as owner of the above-reference property, we submit an application and supporting materials pursuant to 11 DCMR §2001.3 and §3104.1, requesting approval of a special exception to change an existing nonconforming use to a new nonconforming use at premises 3343 Prospect Street, N.W. (Square 1220, Lot 30) in the R-3 District. Enclosed are the following materials:

- A completed BZA Form 120 (application);
- A completed BZA Form 135 (self-certification);
- A plat showing the boundaries of the subject property and the proposed improvements;
- A statement of existing and intended uses of the subject property;
- A preliminary statement explaining how the application meets the specific tests identified in the Zoning Regulations;
- A site plan showing the existing improvements;
- Photographs of the subject property;
- 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;

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Board of Zoning Adjustment for the District of Columbia

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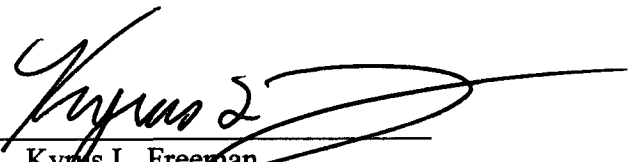
- A completed BZA Form 126 (fee calculator) and a check in the amount of \$1,560.00, and
- A letter authorizing Holland & Knight LLP to file this application

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



Kyra L. Freeman

Attachments

cc Jennifer Steingasser, OP
Advisory Neighborhood Commission 2E
Jeffrey Jones, Advisory Neighborhood Commission 2E03

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