



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
2321 4th Street, NE	3629	808	C-3-A		3129.2
Present use(s) of Property:		Vacant			
Proposed use(s) of Property:		Residential with ground floor retail and service uses			
Owner of Property:	H Street Community Development Corp.		Telephone No:	202-544-8353	
Address of Owner:		501 H Street, NE Washington, DC 20002			
Single-Member Advisory Neighborhood Commission District(s):		5E02			

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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 2321 4th Street LLC and H Street Community Development Corporation, pursuant to 11 DCMR Section 3129.2, requesting approval of minor modifications to the plans approved by the Board of Zoning Adjustment pursuant to BZA Order No. 18372, which granted lot occupancy, off-street parking, and off-street loading berth and clearance height relief to allow the construction of a new residential building with ground floor retail and service uses in the C-3-A District at premises 2321 4th Street, N.E. (Square 3629, Lot 808).

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:	3/22/13	Signature*:	
To be notified of hearing and decision (Owner or Authorized Agent*):			
Name:	Kyrus L. Freeman, Esq.	E-Mail:	kyrus.freeman@hklaw.com
Address: 800 17th Street, NW 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.

18567

Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202 955 3000 | F 202 955 3584
Holland & Knight LLP | www.hklaw.com

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

March 25, 2013

Via Hand Delivery

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

Re: **BZA Application – 2321 4th Street, N.E. (Square 3629, Lot 808)**

Dear Board Members:

On behalf of 2321 4th Street LLC and H Street Community Development Corporation, the owner of property located at 2321 4th Street, N.E. (Square 3629, Lot 808) (the "Site"), we submit an application and supporting materials pursuant to 11 DCMR Section 3129.2 requesting approval of minor modifications to the plans approved by the Board of Zoning Adjustment pursuant to BZA Order No. 18372, which granted lot occupancy, off-street parking, and off-street loading berth and clearance height relief to allow the construction of a new residential building with ground floor retail and service uses in the C-3-A District at the Site. As described in more detail in the attached materials, and pursuant to Section 3129.6 of the Zoning Regulations, the requested modifications are minor and do not change any of the material facts upon which the Board based its original approval of the application. Enclosed are the following materials:

- A completed BZA Form 120 (application);
- A completed BZA Form 135 (self-certification);
- A completed BZA Form 126 (fee calculator) and a check in the amount of \$1,081.60;
- Letters authorizing Holland & Knight LLP to file this application;
- A preliminary statement explaining how the application meets the specific tests identified in the Zoning Regulations;
- A statement of existing and intended uses of the subject property;

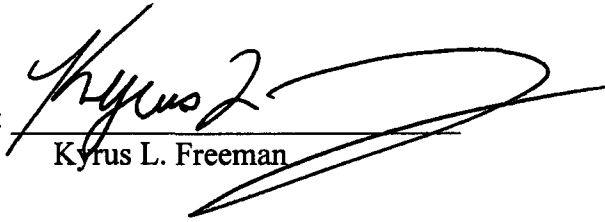
- Photographs of the subject property;
- A building plat prepared by the D.C. Surveyor's office showing the boundaries and dimensions of the existing lot, and the footprint of the proposed new improvements;
- The name and mailing address of the owners of all property within 200 feet in all directions from all boundaries of the subject property, in both list and mailing label format;
- A copy of BZA Order No. 18372 and the approved BZA plans;
- A supplemental memorandum prepared by the Applicant's traffic consultant; and
- Architectural Plans and Elevations showing the proposed project, as modified.

We respectfully request that the Board schedule the application for consideration on the next available date.

Very truly yours,

HOLLAND & KNIGHT LLP

By:


Kyrus L. Freeman

Attachments

cc: Jennifer Steingasser, OP
Advisory Neighborhood Commission 5E
Advisory Neighborhood Commission 5E02