

RECEIVED
D.C. OFFICE OF ZONING
2013 JUL -9 PM 3:18

July 9, 2013

Lloyd Jordan Esq.

Chairperson

Board of Zoning Adjustment

441 4th Street NW. Suite 200S

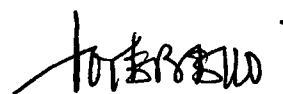
Washington DC 20001

Re BZA No 18591 1255 H Street NE

Please find the following supplemental submissions in the matter of the application of reference above:

- 1 Statement of burden of proof
2. Floor Plan of the second floor missing from original submission
- 3 Copy of the valid building permit under which current construction activity is being undertaken
4. Basic Business License for Adolfo Briceno, owner and project General Contractor
5. List of project experience of Adolfo Briceno
- 6 Signed self-certification Form (Form 135)
7. Notarized Notice of Posting

Respectfully,



Toye Bello

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18591

EXHIBIT NO. 27

Board of Zoning Adjustment
District of Columbia
CASE NO.18591
EXHIBIT NO.27

RECEIVED
J.L. OFFICE OF ZONING
2013 JUL -9 PM 3:18

**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

Application of Adolfo Briceno
BZA No. 18581

19 EBS

APPLICANT'S HEARING STATEMENT

July 23 2012

This Hearing Statement ("Statement") outlines the existing and proposed use of the property of application and the manner in which the application ("Application") complies with the specific tests and burden of proof for the variance sought in this application before the Board of Zoning Adjustment (BZA)

NATURE OF RELIEF SOUGHT

This is an application pursuant to 11 DCMR § 3103.2 for variance to allow the construction of an addition which includes an extension of a second floor, a partial third floor and a canopy over a roof service bar and egress enclosure to an existing two-story building proposed to be occupied primarily as a restaurant. The building is also intended to serve as laboratory residency, an open classroom of sought, for students undertaking culinary training under the executive chef/owner under the Careers through Culinary Arts Program (C-CAP), as shall be further expounded in supplemental submissions and in the course of the public hearing of the instant application.

The proposed use will exceed the maximum floor area ratio (FAR) allowed for a permitted commercial use for its underlying zone district and will not provide the minimum number of on-site parking spaces required as set forth in §§ 771.2 and 2101.1

respectively. The building will also require variance relief from the loading facilities provisions of § 2201.1

SUMMARY OF APPLICATION

The applicant seeks the above area variance pursuant to 11 DCMR § 3103.2 under §§§ 771.2, 2101.1 and 2201.1 to allow the construction of the additions as described above and as depicted in architectural plans and renderings submitted to the case folder.

The designated underlying zone district within which the subject property is located is C-2-A, whereas the Overlay zone district is within the H Street Overlay District, and additionally, the Arts sub-district of the Overlay; therefore the subject property is located in the HS-A/C-2-A zone district.

JURISDICTION OF THE BOARD

The application is properly before the BZA. The Board is authorized to grant the requested variances under § 8 of the Zoning Act, DC Official Code § 6-641.07 (g) (3) (2001), as further set forth in 11 DCMR § 3103.2.

PROPERTY LOCATION AND DESCRIPTION

The property is located in the H Street corridor of the Capitol Hill neighborhood in Ward 6 in the northeast quadrant of the city. The subject property is situated at the southwest corner of the intersection of 13th and H Streets, within the arts and entertainment thematic area of the Small Area Plan (SAP) of the H Street Plan spanning 12th – 15th Street NE.

The subject property, in its current configuration is approximately 2,338 square feet in lot area. An L-shaped lot, the legal description of the subject property locates it in Square 1004 and record lot 343.

BACKGROUND

Adolfo Briceno, the owner of the subject property, is also a partner in the proposed restaurant which is to be a tenant, along with executive chef Troy Williams, a graduate of the acclaimed Culinary Institute of America.

The former Executive Chef of Georgia Brown, Chef Troy Williams is presently the Program Coordinator for C-CAP Program in Prince Georges County and the District of Columbia Public Schools. C-CAP is a non-profit organization that works with public schools across the country to prepare underserved high school students for college and career opportunities in the restaurant and hospitality industry

The foregoing is mentioned to underscore the fact that the proposed building is not only intended for the purpose of the farm-to-table restaurant vision concept of Chef Troy, but it is proposed to serve as the C-CAP living classroom project program where students in the program are provided “classroom” instructions and are able to apply lessons to practical real life situations in the restaurant, including special events, such as a Grand Buffet for students to showcase their skills for potential employers

Hence the additional space to accommodate the program functionality which merges real restaurant customer service, class instruction and special events to showcase the culinary skills of trainees

The current lot (Lot 343) which is the subject of the instant application is the combination of two lots (Lots 810 and 811) The two-story building which existed on lot 810 was constructed prior to May 12, 1958 and occupied the lot in entirety (100%) Lot 811 was vacant and unimproved prior to consolidation with Lot 810 into a single lot of record.

The applicant will provide evidence at the hearing to the effect that the additional cost of structurally stabilizing the existing building and the need to provide for program space demands precipitate the necessity for the relief sought before the Board of Zoning Adjustment (BZA)

The applicant has obtained for logistics reasons, a building permit (B1200472) with an issue date of June 6, 2012 to commence construction of the density permitted as a matter of right as more fully outlined below:

Alteration and repair of the existing two-story building located on lot 810 at 1,319.4 ft² per floor = $1,319.4 \times 2 = \mathbf{2,638.8 \text{ ft}^2}$

A full cellar under the existing building on former lot 810, therefore 1,319.4 ft² of cellar floor area (CFA)

On former lot 811 cellar CFA = $16.8 \times 32.0 = 537.6 \text{ ft}^2$
First floor = $16.8 \times 32.0 = 537.6 \text{ ft}^2$
Second floor = $16.8 \times 20.0 = 336.0 \text{ ft}^2$

Aggregate total GFA (former lots 810 & 811 or new lot 343) = $2638.8 + 537.6 + 336 = \mathbf{3,512.4 \text{ ft}^2 \text{ or } 1.5 \text{ FAR}}$

Aggregate total CFA (former lots 810 & 811 or new lot 343) = $1,319.4 + 537.6 = \mathbf{1,857.0 \text{ ft}^2}$

What is proposed under relief application is as follows

Roof terrace cover & enclosure = $11.5 \times 51.5 = 587.65 \text{ ft}^2$
2nd floor extension = $12.0 \times 16.8 = 201.0 \text{ ft}^2$
3rd floor addition = $16.8 \times 32.0 = 537.6 \text{ ft}^2$
Total. $\mathbf{1,326.25 \text{ ft}^2}$

Less that portion of the terrace cover open to the sky = 559.93 ft^2

Therefore relief is sought for a total GFA = $1,326.25 - 559.93 = 766.32 \text{ ft}^2$

Total project GFA/FAR profile is thus:

$3,512.4 \text{ ft}^2 + 766.32 \text{ ft}^2 = \mathbf{4,278.72 \text{ ft}^2 \text{ GFA}}$ or $(4,278.72 \div 2338.1 \text{ ft}^2 = \mathbf{1.83})/\text{FAR}$

Therefore the net profile results in an aggregate reduction in FAR in the context of the density of the original site/lot upon which the existing building is located

As to restaurant operational matters, the total number of students enrolled in the C-CAP training program is 75 students, however there will be no more than 11-15 students training at any one time on premise. Frequency of training will not exceed four (4) times a week.

The proposed occupant load/seating capacity will not exceed 44 persons on the first floor, 44 on the second, and 40 on the roof top, including bar seating and standing in accordance with the provisions of the International Building Codes. The proposed establishment will partner with the two restaurant businesses beside the subject property which share the same alley and will all have the same trash pickup three times a week (Monday, Wednesday, and Friday), for purposes of efficiency and uniformity.

STATEMENT OF COMPLIANCE WITH BURDEN OF PROOF

The Applicant, by preponderance of the materials submitted with this Application, facts to be presented in the course of the public hearing and further evidence to be submitted fourteen days prior to the hearing date, will prove compliance with the three prong test necessary for the granting of the area variance sought, as outlined below:

The Board is authorized to grant an area variance where a property demonstrates three characteristic elements:

1. The subject property must demonstrate a unique physical characteristic of shape or size, exceptional narrowness or shallowness which existed as of the time of the original adoption of the Zoning Regulations, or that there exists exceptional topographical conditions or other extraordinary or exceptional situation or condition of property;
2. That the physical characteristic(s), or extraordinary or exceptional situation or condition of the property makes the strict application of the Zoning Regulations

result in peculiar and exceptional practical difficulties to the owner of the property,

- 3 That the Board is able to grant the variance without substantial detriment to the public good and without substantial impairment of the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

EXTRAORDINARY OR EXCEPTIONAL SITUATION OR CONDITION OF PROPERTY

The subject property is located within the OLD CITY 1 neighborhood, and as is common with most buildings constructed in the early 1900s, the existing building on former lot 810 did not have footings, necessitating excavation to underpin the building around its perimeter primarily for the express purpose of stabilizing the structural integrity of the structure.

At two floors occupying one hundred percent (100%) of the previous lot, the pre-1958 structure was already nonconforming with respect to FAR because both floors had previously been occupied for commercial use purposes.

To accommodate program needs therefore, the applicant was consigned to constructing cellar floor area underneath the existing building in order to manage the significant construction cost associated with stabilizing the structural integrity of the existing structure. The applicant submits that this fact, inuring to the existing pre-1958 building, constitutes the extraordinary or exceptional situation or condition of property, in addition to the narrowness and L-shaped configuration of the lot.

PECULIAR AND PRACTICAL DIFFICULTIES TO OWNER OF PROPERTY

The applicant submits that in addition to the narrowness and L-shape configuration of the lot which makes the site unsuitable to meet the minimum standards for required parking and loading in size and in number, the significant construction cost associated with structurally stabilizing the pre-1958 building and accommodating program space need

combine to frustrate the viability of establishing the proposed use at subject property without the relief sought before the BZA in the instant application

The pre-1958 building was located on former lot 810 and is narrow at 18 feet where it abuts H Street and occupied 100% of the lot. To accommodate program and business needs, the applicant purchased an adjacent vacant lot to construct a contiguous addition, necessitating the combination of the two lots in order to make the building one building on a single lot of record, as required by both the building codes and the zoning regulations

As aforementioned, the pre-1958 building, at 2.0 floor area ratio (FAR), was nonconforming with respect to maximum allowed FAR for commercial use, and the construction of cellar floor area underneath it did not increase that nonconforming aspect of the building, when analyzed separately and independently. The roof of the pre-existing building is reserved to accommodate roof top seating, and partial roof coverage over the area of the service bar and the stair enclosure required to comply with the minimum number of egress to allow safe exit off of the roof terrace.

That portion of the third floor over the new addition is to accommodate support program space for C-CAP trainees in addition to the support of the roof terrace occupants.

As the architectural plans attest, the preponderance of the cellar floor area will contain ancillary function space, such as dry storage room, freezer storage, food preparation area, et cetera.

The relief sought will permit a balance between program function space demand and the necessary seating capacity which enables a viable commercial public restaurant enterprise while accommodating a unique hybrid concept envisioned by the Chef proprietor.

As to the practical difficulty of meeting the parking and loading facilities requirements, neither the lot as exists currently in its L-shaped configuration, nor in its former existence on a lot completely occupied by the pre-1958 building, is and was ever conducive for said purpose by virtue of narrowness of lot and configuration, and even if possible, it is not

unreasonable to conclude that compliance cannot be accomplished without substantial detriment to and significant adverse impact on neighboring properties, particularly since a residence district is only separated from the subject property by a ten feet (10 ft.) public alley. In fact providing the minimum required number of parking spaces and loading requirement run contra to the broad goals and objectives of the H Street Overlay zone district, with its strong emphasis on the use of public transportation, including the proposed trolley to destination locations within the arts and entertainment district.

SUBSTANTIAL DETRIMENT TO PUBLIC GOOD AND SUBSTANTIAL IMPAIRMENT OF INTENT, PURPOSE AND INTEGRITY OF THE ZONE PLAN

The purposes of the HS Overlay District, in pertinent part to the instant application are the implementation of the policies and goals of the Comprehensive Plan and the H Street NE Strategic Development Plan and to encourage the clustering of uses into unique destination districts along the corridor specifically . “an arts and entertainment district from 12th Street to 15th Street, N E ” and as further set forth in § 1323.1

The proposed restaurant is not inconsistent with the objectives and goals intended in the Arts Sub-district. It is in fact a preferred use, as set forth in §1323 1(w).

The proposed project brings on line and makes adaptive use of a building that has been vacant and detracts from progress that the H Street corridor has experienced thus far due to catalysis of the H Street Strategic Development Plan.

The design is consistent with the design intent of the design requirements of § 1324

The proposed FAR at 1.83 constitutes an aggregate reduction in FAR when the totality of the combined lot development is taken in comparison to the pre-existing density of 2.0 of the site upon which the existing building is located.

Although there are no off-site parking arrangements for staff or patrons alike anticipated, the establishment is however primarily intended as a neighborhood destination experience and particular screening priority will be given to employment opportunity for

residents within walking distance of the establishment. However, to the extent that potential patrons will come from outside of the immediate neighborhood, such attraction will be in sync with the broad objectives of the Arts sub-district of the H Street Overlay and the strong public transportation component centered on the proposed trolley system, which has a stop right in front of the proposed establishment

As to loading, the two existing similar establishments currently utilize the public alley for purposes of inventory delivery. It is anticipated, given that there is some room in the rear of this L-shaped lot for small to medium-sized delivery trucks to undertake delivery services via the alley while substantially parked within private property without impeding the continuous use of the alley for pedestrian and vehicular purposes

The hours of operation of the proposed restaurant are not unreasonable. The restaurant is closed Sunday and Monday, is open from 3:00 PM to 11:00 PM Tuesday through Thursday; and open 3:00 PM through 12:00 midnight Friday and Saturday.

There will be no amplified music or sounds on the roof terrace and no loud music within the restaurant other than soft listening music for the comfort of restaurant patrons

As to loading, the two existing similar establishments currently utilize the public alley for purposes of inventory delivery. It is anticipated, given that there is some room in the rear of this L-shaped lot for small to medium-sized delivery trucks to undertake delivery services via the alley while substantially parked within private property without impeding the continuous use of the alley for pedestrian and vehicular purposes.

For all the foregoing reasons, the applicant submits that the reliefs sought may be granted by the Board without substantial detriment to the public good and without substantial impairment of the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map

WITNESS

1. Adolfo Briceno
2. Troy D Williams
3. Lenair Williams

CONCLUSION

The Applicant submits that the instant application complies with all conditions for the granting of the requested area variance as outlined above and as shall be further documented, and respectfully requests that the relief be granted.

Department of Consumer and Regulatory Affairs

Permit Operations Division

1100 4th Street SW

Washington DC 20024

Tel. (202) 442-4589

Fax (202) 442-4862

TO SCHEDULE INSPECTIONS PLEASE CALL (202) 442-9557

RECEIVED

OFFICE OF ZONING

2013 JUL -9 PM 3:19

B

BUILDING PERMIT

THIS PERMIT MUST ALWAYS BE CONSPICUOUSLY DISPLAYED AT THE ADDRESS OF WORK
UNTIL WORK IS COMPLETED AND APPROVED

Issue Date: 06/04/2012

PERMIT NO. B1200472

Expiration Date: 06/04/2013

Address of Project: 255 H ST NE	Zone:	Ward: 6	Square: 1004	Suffix:	Lot: 0810
------------------------------------	-------	------------	-----------------	---------	--------------

Description Of Work:

Convert existing building to restaurant with two levels addition and underpinning

Permittee Name: Dolfo Briceño	Owner Address: 1301 FAIRMONT STREET N.W. WASHINGTON, DC	PERMIT FEE: \$10,749.22
----------------------------------	---	----------------------------

Permit Type: Addition Alteration Repair	Existing Use: Retail sales	Proposed Use: Restaurant	Plans:
--	-------------------------------	-----------------------------	--------

Agent Name: Enise Douglas	Agent Address: 6401 New Hampshire Avenue 20783	Existing Dwelling Units: 0	Proposed Dwelling Units: 0	No. of Stories: 2	Floor(s) Involved: All
------------------------------	--	-------------------------------	-------------------------------	----------------------	---------------------------

Conditions/ Restrictions:

This Permit Expires if no Construction is Started Within 1 Year or if the Inspection is Over 1 Year.

If Construction Done According To The Current Building Codes And Zoning Regulations;

As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all work authorized by this permit and to require any change in construction which may be necessary to ensure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under this Permit must start within one(1) year of the date appearing on this permit or the permit is automatically void. If work is started, any application for partial refund must be made within six months of the date appearing on this permit.

Lead Paint Abatement

Whenever any such work related to this Permit could result in the disturbance of lead based paint, the permit holder shall abide by all applicable activities provisions of the 'Lead Hazard Prevention and Elimination Act of 2008' and the EPA 'Lead Renovation, Repair and Painting rule' regarding lead-based include adherence to lead-safe work practices. For more information, go to <http://ddoe.dc.gov>, Lead and Healthy Housing.

Director:
Nicholas A. Majett

Nicholas Majett

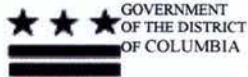
Permit Clerk
Stacie Williams

TO REPORT WASTE, FRAUD OR ABUSE BY ANY DC GOVERNMENT OFFICIAL, CALL THE DC INSPECTOR GENERAL AT 1-800-521-1839

FOR CONSTRUCTION INSPECTION INQUIRIES CALL (202) 442-9557

TO SCHEDULE INSPECTIONS PLEASE CALL (202) 442-9557

PRE-FILE NUMBERS		ZONING DISTRICT	FILE NUMBER	PERMIT NUMBER	
N.C.P.C. No:	O.G. No:	R-1-B			By:
H.P.A. No:	S.S.L. No: 4253 0809	Ward No: 5	Receipt No:	Date:	Receipt No:



DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION PERMIT SERVICE CENTER
dcra.dc.gov



BLRA-33
(Rev.10/2011)

APPLICATION FOR CONSTRUCTION PERMITS ON PRIVATE PROPERTY
(PRINT IN INK OR TYPE, DO NOT WRITE IN SHADED AREAS)

CLEARANCE TO FILE By _____ Date _____	ERASING, CROSSING OUT, WHITING OUT, OR OTHERWISE ALTERING ANY ENTERED INFORMATION WILL VOID THIS APPLICATION
--	--

(A) ALL APPLICANTS MUST COMPLETE ITEMS 1 THRU 32

1 Address of Proposed Work: 2715 22ND STREET NE		Suite No.	2. Lot 0809	3. Square 4253	4. Application Date 7/9/2013
5 Owner of Building or Property M.E.O.T. Church		6 Address (include Zip Code) 2715 22nd Street NE 20018		7 Phone 202-423-9019	
8 Agent for Owner: (if applicable)		9. Address (include Zip Code)		10. Phone	
11. Type of Proposed Work (Select only one) ALL APPLICANTS MUST COMPLETE SECTIONS AF AND AG					
☐ New Building(B) ☐ Awning(G) ☐ Fire Retardant Paint(O) ☐ Sheeting and Shoring(X) ☐ Addition(B) ☐ Sign(H) ☐ Flag Pole(P) ☐ Tenant Layout(Y) ☐ Addition Alteration Repair(B) ☐ After Hours(I) ☐ Observation Stand(Q) ☐ Swimming Pool(Z) ☒ Alteration and Repair(B) ☐ Demolition(J) ☐ Scaffolding Information (R) ☐ Special Sign(AA) ☐ Raze Building(C) ☐ Blasting Operations(K) ☐ Soil Boring(S) ☐ Projection(AB) ☐ Retaining Wall(D) ☐ Christmas Tree Stand(L) ☐ Tower Crane(T) ☐ Excavation only (AC) ☐ Fence(E) ☐ Fireworks Stand(L) ☐ Foundation Only(U) ☐ Tent(AD) ☐ Shed(F) ☐ Exterior Cleaning Information(M) ☐ Underground Storage Tank(V) ☐ Antenna (AE) ☐ Garage(F) ☐ Capacity Placard(N) ☐ Water And Damp Proofing(W)					
12. Description of Proposed Work Alteration and repair to existing pavement per attached plans.					
13 Existing Use(s) of Building or Property Place of Worship		14 Ex. No of Stories of Bldg 3	15 Ex. No of Dwelling Units 0	Official Use Only Miscellaneous FEE \$ _____	
16 Proposed Use(s) of Building or Property Place of Worship		17 Prop. No of Stories of Bldg 3	18 Prop. No of Dwelling Units 0	By:	Date:
19 Starting Date	20 Completion Date of work	21 Method of Removing Construction Debris ☐ Pick-up Truck ☐ Dumpster ☐ Other (specify)		22 Does the proposed work involve disturbing the earth or razing a building? ☒ Yes, answer q. 23 ☐ No, SKIP q. 23-27	
23. Is the area of disturbed earth more than 50 sq. ft? ☒ Yes, answer q. 24-25 ☐ No, SKIP q. 24-25	24. Soil Erosion Control Methods attached plans		25. Area of Offsite Drainage 4800.00 sq. ft	26. No of Footings or Columns	27 Size of Footings or Columns

ALWAYS SIGN THE APPLICATION ON PAGE 7 (SECTION AH)

Complete Section B if the proposed work is **new building, addition or alteration.** (Page 2)
 Complete Section C if the proposed work is **razing a building.** (Page 2)
 Complete Section D if the proposed work is a **retaining wall.** (Page 2)
 Complete Section E if the proposed work is a **fence.** (Page 3)
 Complete Section F if the proposed work is a **shed/garage.** (Page 3)
 Complete Section G if the proposed work is an **awning.** (Page 3)
 Complete Section H if the proposed work is a **sign.** (Page 3)

OFFICIAL USE ONLY

	R	P	H	A	
M					
P					
E					W ☐ Yes ☐ No
F					PLANS
S					☐ No ☐ Sm ☐ Lg



GOVERNMENT
OF THE
DISTRICT OF COLUMBIA
Vincent C. Gray, Mayor

Department of Consumer and Regulatory Affairs

Business License Division
1100 4th Street S.W.
Washington DC 20024

Date Issued: 11/17/2011
Category: 4105
License#: 410512000054
License Period: 11/1/2011 - 10/31/2013

BASIC BUSINESS LICENSE

Billing Name and Address:

ADOLFO BRICENO

1301 FAIRMONT STREET NW
WASHINGTON, DC 20009

Premise/Application's Name and Address:

831 RICHMOND AVENUE
SILVER SPRING, MD 20910

Registered Agent's Name and Address:

ADOLFO BRICENO

1301 FAIRMONT STREET NW
WASHINGTON DC20009

Owner's Name

Corp. Name

Trade Name

BRICENO CONTRACTING

CofO/HOP#:	SSL: NA	Zone:	Ward:	ANC:	
CLASS: C		UNITS: 0			

General Service and Repair - Gen Contr/Construction Mngr

RECEIVED
D.C. OFFICE OF ZONING
2013 JUL -9 PM 3:19

-- THE LAW REQUIRES THIS LICENSE TO BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES --

Director:
Nicholas A. Majetti

*License Effective from the later of Issued or Start of License-Period Date



Government of the District of Columbia

Department of Consumer and Regulatory Affairs

Home Improvement Salesman

VALID FROM: 11/01/2011

VALID TO: 10/31/2013

BUSINESS REPRESENTED

ALDOFO BRICENO

BRICENO CONTRACTING

831 RICHMOND AVE -
SILVER SPRING, MD 20910

LICENSEE NAME

ALDOFO BRICENO

4203 420312000036

DATE ISSUED: 11/17/2011

Nicholas Majetti
Director



**Adolfo Briceno Contracting
1301 Fairmont Street N.W.
Washington, DC 20009**

Years of experience in contracting: 20

Major renovation projects competed

317, 319 and 321 12th Street N.E.
Three 6 unit apartment units

1412 South Carolina Ave. S.E.
6 unit apartment unit

2922 O Street S.E.
6 unit apartment

401 11th Street W.E.

212 6th Street S.E.

Renovated

658 and 660 Independence Ave S.E.

707 and 709 North Carolina Ave. S.E.

915 East Capital S.E.

806 A. Street S.E.

RECEIVED
D.C. OFFICE OF ZONING
2013 JUL -9 PM 3:19



BEFORE THE BOARD OF ZONING ADJUSTMENT
DISTRICT OF COLUMBIA



FORM 135 – ZONING SELF-CERTIFICATION

RECEIVED
OFFICE OF ZONING
JUL -9 PM 3:19

Project Address(es)	Square	Lot(s)	Zone District(s)
1255 H Street NE	1004	0343	HS-A/C-2-A

Single-Member Advisory Neighborhood Commission District(s): 6A02

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
772.1; 2101.1; 2201.1

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) Adolfo Briceno	
Agent's Signature 		Agent's Name (Please Print) Richard A. Williams	
Date	D.C. Bar No. 446690	or	Architect Registration No.

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. 18591

RECEIVED
OFFICE OF ZONING
JUL -9 PM 3:19

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 8½" 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.)	2338 sf	NP	NA	2338 sf	
Lot Width (ft. to the tenth)	18.0 ft. (H Street)	NP	NA	18 ft.	
Lot Occupancy (building area/lot area)	79%	NP	NP	79%	
Floor Area Ratio (FAR) (floor area/lot area)	1.5	NP	1.5	1.83	0.33 (22%)
Parking Spaces (number)	NONE	11 spaces	NA	NONE	11 (100%)
Loading Berths (number and size in ft.)	NONE	1 @ 30ft.; 1 @ 100 ft	NA	NONE	100%
Front Yard (ft. to the tenth)	NONE	NONE	NONE	NONE	
Rear Yard (ft. to the tenth)	29 ft.	15 ft.	NA	29 ft.	
Side Yard (ft. to the tenth)	0 ft	NP	NA	0 ft.	
Court, Open (width by depth in ft.)	NA	NA	NA	NA	
Court, Closed (width by depth in ft.)	NA	NA	NA	NA	
Height (ft. to the tenth)	33.6 ft	NA	50 ft.	33.6 ft.	

RECEIVED
 D.C. OFFICE OF ZONING
 2013 JUL -9 PM 3:19



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.

RECEIVED
J.C. OFFICE OF ZONING
2013 JUL -9 PM 3:19

PLAN LEGEND

-  2"x4" STUDS @ 16" O.C.
 4" BRICK OVER FRAME
 EXISTING TO REMAIN
 1/2" FIRE RATED WALL

GENERAL CONSTRUCTION NOTES

Bracing shall partition where shown on plans to be retained. Wall to be applied with low construction grade 2" x 4" steel studs at 24" on center and plates in top and bottom. Double girted in all bearing walls. Locations for all tie partitions shall be as indicated on plans. All existing wood structural framing such as 2x10, 2x12, #2, #4, #6, #8, #10, #12, #14, #16, #18, #20, #22, #24, #26, #28, #30, #32, #34, #36, #38, #40, #42, #44, #46, #48, #50, #52, #54, #56, #58, #60, #62, #64, #66, #68, #70, #72, #74, #76, #78, #80, #82, #84, #86, #88, #90, #92, #94, #96, #98, #100, #102, #104, #106, #108, #110, #112, #114, #116, #118, #120, #122, #124, #126, #128, #130, #132, #134, #136, #138, #140, #142, #144, #146, #148, #150, #152, #154, #156, #158, #160, #162, #164, #166, #168, #170, #172, #174, #176, #178, #180, #182, #184, #186, #188, #190, #192, #194, #196, #198, #200, #202, #204, #206, #208, #210, #212, #214, #216, #218, #220, #222, #224, #226, #228, #230, #232, #234, #236, #238, #240, #242, #244, #246, #248, #250, #252, #254, #256, #258, #260, #262, #264, #266, #268, #270, #272, #274, #276, #278, #280, #282, #284, #286, #288, #290, #292, #294, #296, #298, #300, #302, #304, #306, #308, #310, #312, #314, #316, #318, #320, #322, #324, #326, #328, #330, #332, #334, #336, #338, #340, #342, #344, #346, #348, #350, #352, #354, #356, #358, #360, #362, #364, #366, #368, #370, #372, #374, #376, #378, #380, #382, #384, #386, #388, #390, #392, #394, #396, #398, #400, #402, #404, #406, #408, #410, #412, #414, #416, #418, #420, #422, #424, #426, #428, #430, #432, #434, #436, #438, #440, #442, #444, #446, #448, #450, #452, #454, #456, #458, #460, #462, #464, #466, #468, #470, #472, #474, #476, #478, #480, #482, #484, #486, #488, #490, #492, #494, #496, #498, #500, #502, #504, #506, #508, #510, #512, #514, #516, #518, #520, #522, #524, #526, #528, #530, #532, #534, #536, #538, #540, #542, #544, #546, #548, #550, #552, #554, #556, #558, #560, #562, #564, #566, #568, #570, #572, #574, #576, #578, #580, #582, #584, #586, #588, #590, #592, #594, #596, #598, #600, #602, #604, #606, #608, #610, #612, #614, #616, #618, #620, #622, #624, #626, #628, #630, #632, #634, #636, #638, #640, #642, #644, #646, #648, #650, #652, #654, #656, #658, #660, #662, #664, #666, #668, #670, #672, #674, #676, #678, #680, #682, #684, #686, #688, #690, #692, #694, #696, #698, #700, #702, #704, #706, #708, #710, #712, #714, #716, #718, #720, #722, #724, #726, #728, #730, #732, #734, #736, #738, #740, #742, #744, #746, #748, #750, #752, #754, #756, #758, #760, #762, #764, #766, #768, #770, #772, #774, #776, #778, #780, #782, #784, #786, #788, #790, #792, #794, #796, #798, #800, #802, #804, #806, #808, #810, #812, #814, #816, #818, #820, #822, #824, #826, #828, #830, #832, #834, #836, #838, #840, #842, #844, #846, #848, #850, #852, #854, #856, #858, #860, #862, #864, #866, #868, #870, #872, #874, #876, #878, #880, #882, #884, #886, #888, #890, #892, #894, #896, #898, #900, #902, #904, #906, #908, #910, #912, #914, #916, #918, #920, #922, #924, #926, #928, #930, #932, #934, #936, #938, #940, #942, #944, #946, #948, #950, #952, #954, #956, #958, #960, #962, #964, #966, #968, #970, #972, #974, #976, #978, #980, #982, #984, #986, #988, #990, #992, #994, #996, #998, #1000, #1002, #1004, #1006, #1008, #1010, #1012, #1014, #1016, #1018, #1020, #1022, #1024, #1026, #1028, #1030, #1032, #1034, #1036, #1038, #1040, #1042, #1044, #1046, #1048, #1050, #1052, #1054, #1056, #1058, #1060, #1062, #1064, #1066, #1068, #1070, #1072, #1074, #1076, #1078, #1080, #1082, #1084, #1086, #1088, #1090, #1092, #1094, #1096, #1098, #1100, #1102, #1104, #1106, #1108, #1110, #1112, #1114, #1116, #1118, #1120, #1122, #1124, #1126, #1128, #1130, #1132, #1134, #1136, #1138, #1140, #1142, #1144, #1146, #1148, #1150, #1152, #1154, #1156, #1158, #1160, #1162, #1164, #1166, #1168, #1170, #1172, #1174, #1176, #1178, #1180, #1182, #1184, #1186, #1188, #1190, #1192, #1194, #1196, #1198, #1200, #1202, #1204, #1206, #1208, #1210, #1212, #1214, #1216, #1218, #1220, #1222, #1224, #1226, #1228, #1230, #1232, #1234, #1236, #1238, #1240, #1242, #1244, #1246, #1248, #1250, #1252, #1254, #1256, #1258, #1260, #1262, #1264, #1266, #1268, #1270, #1272, #1274, #1276, #1278, #1280, #1282, #1284, #1286, #1288, #1290, #1292, #1294, #1296, #1298, #1300, #1302, #1304, #1306, #1308, #1310, #1312, #1314, #1316, #1318, #1320, #1322, #1324, #1326, #1328, #1330, #1332, #1334, #1336, #1338, #1340, #1342, #1344, #1346, #1348, #1350, #1352, #1354, #1356, #1358, #1360, #1362, #1364, #1366, #1368, #1370, #1372, #1374, #1376, #1378, #1380, #1382, #1384, #1386, #1388, #1390, #1392, #1394, #1396, #1398, #1400, #1402, #1404, #1406, #1408, #1410, #1412, #1414, #1416, #1418, #1420, #1422, #1424, #1426, #1428, #1430, #1432, #1434, #1436, #1438, #1440, #1442, #1444, #1446, #1448, #1450, #1452, #1454, #1456, #1458, #1460, #1462, #1464, #1466, #1468, #1470, #1472, #1474, #1476, #1478, #1480, #1482, #1484, #1486, #1488, #1490, #1492, #1494, #1496, #1498, #1500, #1502, #1504, #1506, #1508, #1510, #1512, #1514, #1516, #1518, #1520, #15

FRAMING

ALL (3) STRUCTURAL MEMBERS SHALL BE (100 M.B.) 1/2 OF SIZE, SPACES BRACING AND ANCHORAGE
SHOWN ON PLANS. PROVIDE GEL FRAMING AROUND ALL OPENINGS SUCH AS STAIRS AND DUCT CHASES.
JOINT SHALL BE DOUBLED WHERE INTERIOR PARTITIONS ARE RUNNING DIRECTLY OVER IN SAME DIRECTION.
ALL (3) BEARING PARTITIONS SHALL BE 2"x4" STUDES 1"x1/2" G.C.W. GEL TOP PLATE 1 BLOCK BRIDGED
1 PTD - HEIGHT, UNLESS OTHERWISE NOTED ON PLANS PROVIDE GOOD LABELS OVER FRAME OPENINGS
AS FOLLOWS:

ONE FLOOR ONLY
 (31.25 sq. ft. - 500 sq. ft.)

	(1) 2' x 4'	ACRE SPANS UP TO	2'-2"	(1) 2' x 4'	ACRE SPANS UP TO	2'-2"
(1) 2' x 6'	"	"	"	(1) 2' x 6'	"	"
(1) 2' x 8'	"	"	"	(1) 2' x 8'	"	"
(1) 2' x 10'	"	"	"	(1) 2' x 10'	"	"
(1) 2' x 12'	"	"	"	(1) 2' x 12'	"	"

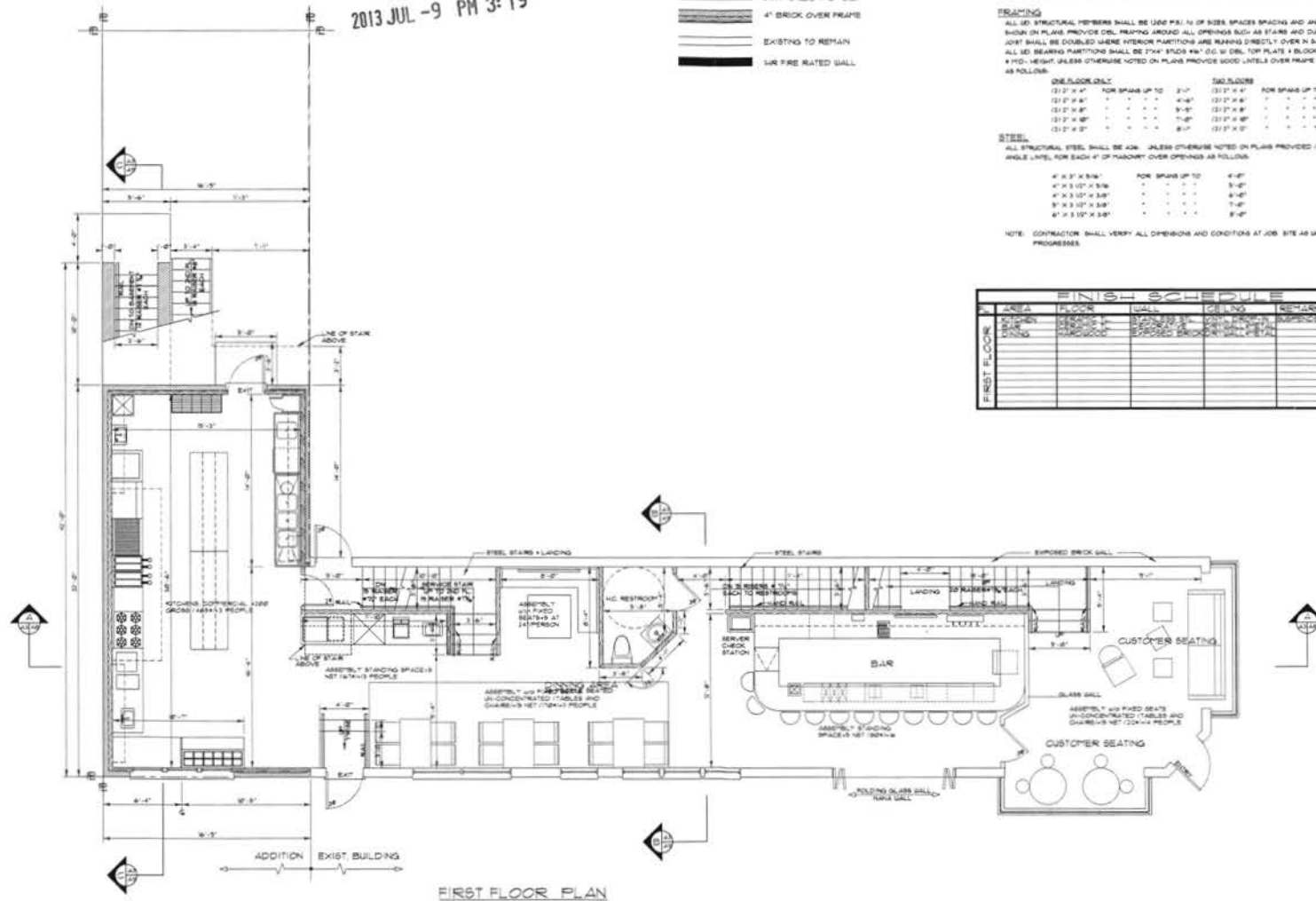
STEEL.

ALL STRUCTURAL STEEL SHALL BE A36. UNLESS OTHERWISE NOTED ON PLANS PROVIDED TO LOOSE ANGLE LATEL FOR EACH 4" OF MASONRY OVER OPENINGS AS FOLLOWS:

4" X 3" X 5/8"	FOR SPANS UP TO	4'-0"
4" X 3 1/2" X 5/8"	" " " "	5'-0"
4" X 3 1/2" X 3/4"	" " " "	6'-0"
5" X 3 1/2" X 3/4"	" " " "	7'-0"
6" X 3 1/2" X 3/4"	" " " "	8'-0"

NOTE: CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AT JOB SITE AS WORK PROGRESSES.

FINISH SCHEDULE

[illegible]

FIRST FLOOR PLAN

architect

SEAL

12 x 17

1255 H STREET, N.E. • WASHINGTON DC

DATE	2/27/2012	DRAWING NO.	A3
TITLE	CPM		
SCALE	1/4" = 1'-0"		
DATE	2/27/2012		



**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**



FORM 145 – AFFIDAVIT OF POSTING

Before completing this form, please review the instructions on the reverse side.
Print or type all information unless otherwise indicated.

Carlos R. Iglesias (Name of person posting the property)

, being first duly sworn, do hereby depose and say that:

On 06/09/12 (date) at 5:30 P.M. (time) I caused 2 (number of notices)

Zoning Sign(s) furnished by the Office of Zoning to be posted on private property known as:

1255 H Street NE (address of premises)

In plain view of the public on the following street frontages:

I caused to be taken, 2 (no. of photos) photograph(s), attached hereto, of the Zoning Sign(s) in place which fairly depict each

Zoning Sign as seen by the public. The photographs are numbered and correspond to the following street frontages:

Photograph No.	Street Frontage
1	1200 Block of H Street NE
1	700 Block of 13th Street NE
1	

RECEIVED
D.C. OFFICE OF ZONING
2013 JUL -9 PM 3:19

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)

Date: 07/11/13 Signature:

Subscribed and sworn to before me this 11th day of June, 2013.

Notary Public, D.C.

My commission expires on: September 30, 2017 (date)



**PUBLIC NOTICE
OF
BOARD OF ZONING ADJUSTMENT
HEARING**

APPLICATION NO.

1 8 5 9 1
OF

Adolfo Briceno

**THE BOARD OF ZONING ADJUSTMENT OF THE
DISTRICT OF COLUMBIA WILL HOLD A PUBLIC
HEARING IN SUITE 220-S, ONE JUDICIARY
SQUARE, 441 4TH STREET, N.W. ON 07/23/13
AT 9:30 AM TO CONSIDER A PROPOSAL FOR**

Application of Adolfo Briceno
for a Special Use Permit
for a Single-Family Detached Dwelling
in the F-1 Zone
at 1234 5th Street, N.W.
Washington, D.C. 20001

FOR MORE INFORMATION PLEASE CONTACT THE OFFICE OF ZONING AT
441 4TH STREET, N.W., SUITE 200-S
WASHINGTON, DC 20001
(202) 727-6311 • (202) 727-6072 • fax
website: www.dcoz.dc.gov • e-mail: dcoz@dc.gov

THIS SIGN SHALL NOT BE REMOVED, DEFACED, OR DESTROYED UNDER PENALTY OF THE LAW.

**PUBLIC NOTICE
OF
BOARD OF ZONING ADJUSTMENT
HEARING**

APPLICATION NO.

1 8 5 9 1

OF

Adolfo Briceno

**THE BOARD OF ZONING ADJUSTMENT OF THE
DISTRICT OF COLUMBIA WILL HOLD A PUBLIC
HEARING IN SUITE 220-S, ONE JUDICIARY
SQUARE, 441 4TH STREET, N.W. ON 07/23/13
AT 9:30 AM TO CONSIDER A PROPOSAL FOR**

Application of Adolfo Briceno, pursuant to 11 DCMR § 2102.2, for a variance from the floor area ratio requirements under subsection 711.2, a variance from the off-street parking requirements under subsection 2101.1, and a variance from the loading requirements under subsection 2201.1, for a proposed restaurant in the HS-AC-2-A District at premises 1255 H Street, N.E. (Square 1004, Lot 343).

FOR MORE INFORMATION PLEASE CONTACT THE OFFICE OF ZONING AT
441 4TH STREET, NW, SUITE 200-S
WASHINGTON, DC 20001
(202) 727-6311 • (202) 727-6072 • fax
website: www.dcoz.dc.gov • e-mail: dcoz@dc.gov

THIS SIGN SHALL NOT BE REMOVED, DEFACED, OR DESTROYED UNDER PENALTY OF THE LAW.

2013 JUL -9

PM 3:19

RECEIVED
D.C. OFFICE OF ZONING