



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
1063 R Wisconsin Ave, NW	1199	48	W-1	Area Variance	931.2

Present use(s) of Property: Building A - vacant; Building B - restaurant

Proposed use(s) of Property: Building A - permitted nonresidential use; Building B - restaurant

Owner of Property: Back Alley, LLC/Ellsworth T. Simpson Trust Telephone No: 202-503-1704

Address of Owner: c/o Martin Sullivan, Sullivan & Barros, LLP 1990 M St NW # 200 DC 20036

Single-Member Advisory Neighborhood Commission District(s): 2E-05

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

Back Alley, LLC and the Ellsworth T. Simpson Trust, co-owners of the property located at 1063 R Wisconsin Avenue, NW (Square 1199, Lot 48), are requesting relief from the nonresidential FAR restrictions of Section 931.2, in order to subdivide the property and to use 100% of the existing buildings on the property for any nonresidential use permitted in the W-1 zone.

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: 5/22/13

Signature*: Martin P Sullivan

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

Name: Martin P Sullivan, Sullivan & Barros, LLP E-Mail: msullivan@sullivanbarros.com

Address: 1990 M Street, NW, Suite 200, Washington, DC 20036

Phone No(s): 202-503-1704 Fax No.: 888-318-2443

* 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. 18610 Board of Zoning Adjustment

District of Columbia

CASE NO.18610

EXHIBIT NO.1

May 23, 2013

By Hand Delivery

Lloyd Jordan, Chairman
Board of Zoning Adjustment
441 4th Street, NW
Suite 210S
Washington, DC 20001

RECEIVED
D.C. OFFICE OF ZONING
2013 MAY 23 PM 2:59

Re: **Area Variance Application; 1063 Rear Wisconsin Avenue, NW; Square 1199, Lot 48**

Dear Chairman Jordan and Members of the Board,

Enclosed please find an original and ten (10) copies (where applicable) of the following:

- A check for \$1,040 for the application filing fee, along with BZA Form 126;
- BZA Application Form 120,
- Letters from the co-owners authorizing Sullivan & Barros, LLP to represent them,
- Form 135,
- A Preliminary Statement of Compliance with the Burden of Proof and Statement of Existing and Intended Use;
- A Plat from the DC Office of the Surveyor;
- Photographs of the Subject Property,
- Names and addresses – and self-stick labels – of the owners of all property owners within 200 feet of the subject property (two sets of labels and one copy)

The Applicant requests that the Board schedule a public hearing on the application as soon as possible
Thank you for your consideration of this Application

Sincerely,



Martin P. Sullivan

enclosures