



**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<br>Use Variance<br>Special Exception | Section(s) of Title 11 DCMR -<br>Zoning Regulations from<br>which relief is being sought |
| 319 A Street, N.E.                 | 0786   | 827        | CAP/R-4          | Area Variance <input checked="" type="checkbox"/>  | 401.3, 403.2, 2101.1                                                                     |
| Rear of 319 and 321 A Street, N.E. | 0786   | 22, 827    | CAP/R-4          | Area Variance <input checked="" type="checkbox"/>  | 401.3, 403.2, 404.1, 2507.2                                                              |
|                                    |        |            |                  |                                                    |                                                                                          |
|                                    |        |            |                  |                                                    |                                                                                          |

Present use(s) of Property: Apartment Building, 2 vacant and dilapidated garages

Proposed use(s) of Property: Existing Apartment Building and New Alley Dwelling Unit

Owner of Property: Peter J. FitzGerald

Telephone No:

703-517-7757

Address of Owner: 1447 G-1 Dolley Madison Blvd., McLean, VA 22101

Single-Member Advisory Neighborhood Commission District(s): ANC 6c, SMD 01

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

Application of Peter J. Fitzgerald pursuant to 11 DCMR Sec. 3103.2 to: a) allow proposed subdivision of Lot 827 with an existing three-unit apartment building requiring variances from the minimum lot area under subsection 401.3, maximum lot occupancy under subsection 403.2, and minimum required parking under subsection 2101.1 in the CAP/R-4 District at 319 A Street, N.E. (Square 786, Lot 827); and b) allow proposed subdivision of part of Lot 827 and Lot 22 and construction of a new single-family dwelling on an alley lot requiring variances from minimum lot area under subsection 401.3, maximum lot occupancy under subsection 403.2, minimum rear yard under subsection 404.1, and minimum alley width under subsection 2507.2 in the CAP/R-4 District at Rear of 319 A Street, N.E. (Square 786, part of Lot 827 and Lot 22).

**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: 8/15/13

Signature\*:

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

Name: John Patrick Brown, Jr., Esq.

E-Mail: jpb@gdllaw.com and kmo@gdllaw.com

Address: 1620 L Street, NW, Ste. 900, Washington, DC 20036

Phone No(s): 202-452-1400

Fax No.: 202-452-1410

\* 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. 18651



GREENSTEIN DELORME & LUCHS, P.C

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WASHINGTON D.C. 20036-5605  
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John Patrick Brown, Jr.  
[jpb@gdlaw.com](mailto:jpb@gdlaw.com)

Kate M. Olson  
[kmo@gdlaw.com](mailto:kmo@gdlaw.com)

August 15, 2013

**BY HAND DELIVERY**

Mr. Lloyd Jordan, Chairperson  
D.C. Board of Zoning Adjustment  
One Judiciary Square  
441 4th Street N.W.  
Second Floor  
Washington, D.C. 20001

RECEIVED  
D.C. OFFICE OF ZONING  
2013 AUG 15 PM 1:39

Re: Application of Peter J. FitzGerald and his agent, John H. FitzGerald for Variance Relief to Subdivide An Existing 3-Unit Apartment Building And Construct A New Alley Dwelling in the CAP/R-4 District at 319 and Rear of 321 A Street, NE (Square 786, Lots 22 and 827) ("Property")

Dear Chairperson Jordan:

Enclosed please find one original and ten (10) copies of the above-referenced BZA Application pursuant to 11 DCMR § 3103.2, for variance relief from the area provisions under Sections 401.3, 403.2, 404.1, 2101.1 and 2507.2. A check in the amount of \$ 7,280.00 made payable to the D.C. Treasurer is attached hereto as the required application fee pursuant to 11 DCMR § 3180. The following supporting materials are also attached:

1. Completed Application Form (BZA Form 120);
2. Zoning Certification Memoranda from Matthew LeGrant, Zoning Administrator;
3. Fee Calculator Form (BZA Form 126);
4. Surveyor's Plat;
5. Letter of Authorization from Owner;
6. Two Sets of Self-Stick Mailing Labels for the Property Owners within 200 feet of the Property (including the names and mailing addresses of the individuals who have a lease with the Applicant for the 3-Unit Apartment Building located on the Property); and



**GREENSTEIN DELORME & LUCHS, P.C.**

[www.gdlaw.com](http://www.gdlaw.com)

Chairperson Lloyd Jordan

August 15, 2013

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**7. Statement In Support of the Application, including the following exhibits:**

**Exhibit A: Zoning Map (with the Property outlined in red).**

**Exhibit B: Site Photographs.**

**Exhibit C: Plans.**

**Exhibit D: Historic Preservation Office Staff Report and Historic Preservation Review Board Actions.**

**Exhibit E: Certificate of Occupancy.**

**Exhibit F: List of Property Owners within 200 feet of the Property (including the names and mailing addresses of the individuals who have a lease with the Applicant for the 3-Unit Apartment Building located on the Property).**

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,

GREENSTEIN DELORME & LUCHS, P.C.

By: \_\_\_\_\_  
John Patrick Brown, Jr.

By: \_\_\_\_\_  
Kate M. Olson

Enclosures

## **CERTIFICATE OF SERVICE**

I hereby certify that on August 15, 2013, a copy of the BZA Application of Peter J.

FitzGerald and his agent, John H. FitzGerald was served on the following:

**ANC 6C**  
P.O. Box 77876  
Washington, DC 20013  
(By U.S. Mail)

**Commissioner Daniele Schiffman, SMD 6C01**  
19 7<sup>th</sup> Street, NE  
Washington, DC 20002  
(Electronically [daniele.schiffman@gmail.com](mailto:daniele.schiffman@gmail.com))

**Ms. Jennifer Steingasser**  
D.C. Office of Planning  
1100 4th Street, SW  
Suite E650  
Washington, DC 20024  
(Electronically [jennifer.steingasser@dc.gov](mailto:jennifer.steingasser@dc.gov))

**Mr. Jamie Henson**  
D.C. Department of Transportation  
55 M Street, SE  
Suite 400  
Washington, DC 20003  
(Electronically [jamie.henson@dc.gov](mailto:jamie.henson@dc.gov))

*Kate M. Olson*

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