

May 12, 2014

Board of Zoning Adjustment  
441 4<sup>th</sup> Street NW  
Suite 200  
Washington, D.C. 20001

Re: **BZA Application No. 18770**  
**405 8<sup>th</sup> Street NW (Square 902, Lot 825)**

Honorable Members of the Board:

The purpose of this letter is to amend the above-referenced BZA Application known as Case No. 18770. In order to address the specific concerns of the neighbors concerning trash, the Applicant proposes a one story addition with a green roof in the rear of the property to fully enclose and shield the trash area from the abutting property owners.

When I purchased the subject property, there was an existing rear yard enclosure that was subsequently torn down. This application proposes to change the rear yard to its former condition.

Enclosed please find a revised application, self-certification, and fee calculation form. Information regarding the revised application will be forwarded to all property owners within 200 feet of the subject property.

Sincerely,



Maurice Kreidler



**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
405 8th Street SE	902	825	CHC/C-2-A	Special Exception	733
				Area Variance	774.1

Present use(s) of Property: Dry Cleaner, nail salon

Proposed use(s) of Property: Fast food establishment

Owner of Property: Capitol Hill Investors LLC Telephone No: (202)384-2147

Address of Owner: 7101 Wisconsin Avenue #1203 Bethesda MD 20814-4873

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

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

Application of &pizza, pursuant to 11 DCMR Sections 3104.1 and 3103.2, for a special exception under section 733 to allow a fast food establishment on the first floor, and an area variance under section 774.1 to allow a one story rear addition to an existing building in the CHC/C-2-A Zone District at premises 405 8th Street SE (Square 902, Lot 825).

**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: 5/12/14 Signature\*:

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

Name: Weston Victor E-Mail: wv@andpizza.com

Address: 229-231 Pennsylvania Avenue SE Washington DC 20003

Phone No(s): (202)284-2147 Fax No.:

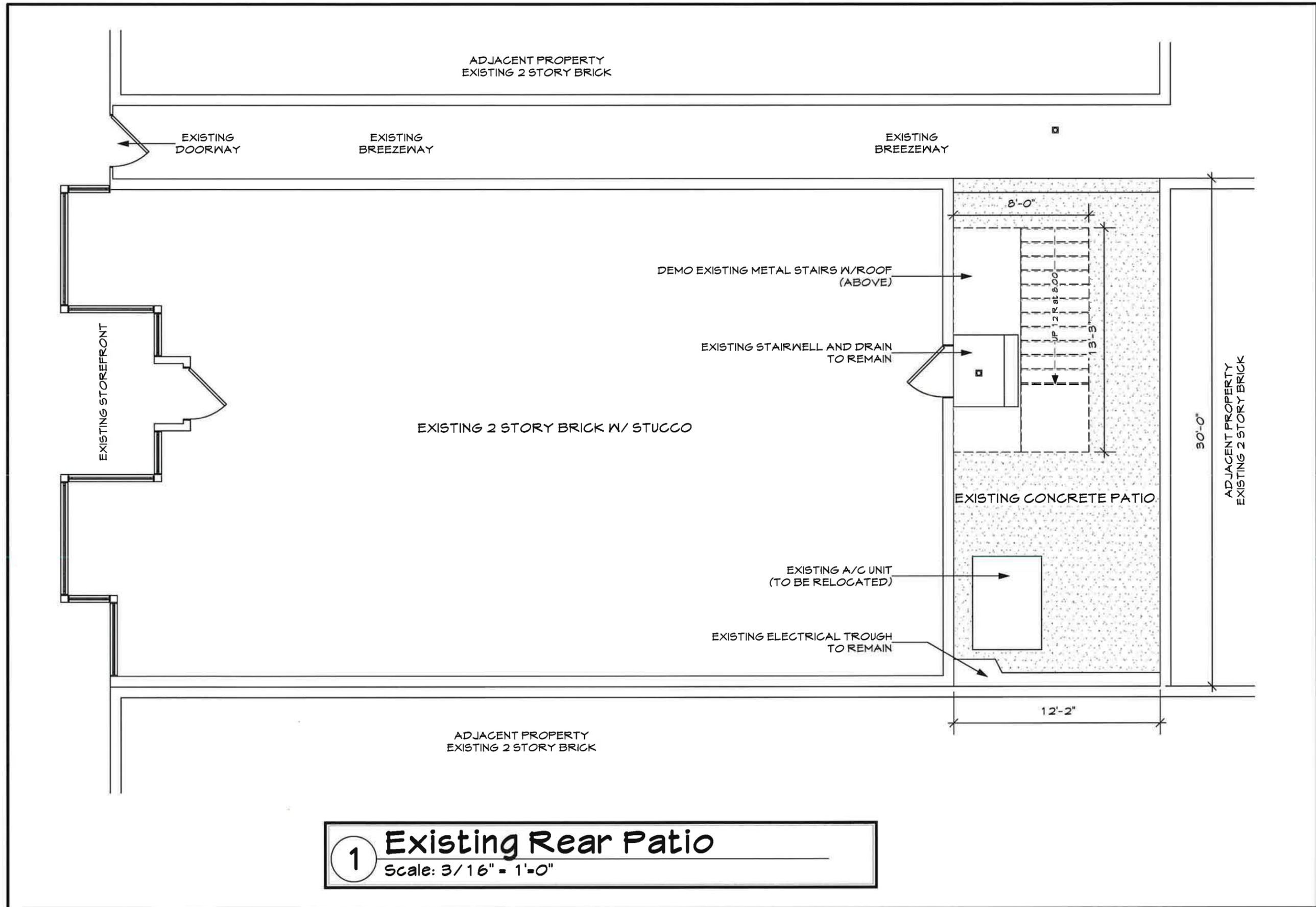
\* To be signed by the Owner of the Property for which this application is filed or his/her authorized agent. In the event an authorized agent files this application on behalf of the Owner, a letter signed by the Owner authorizing the agent to act on his/her behalf shall accompany this application.

**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.** \_\_\_\_\_



**1 Existing Rear Patio**  
 Scale: 3/16" = 1'-0"

**A&P PIZZA**  
 405 8th Street S.E.  
 Washington, D.C. 20002

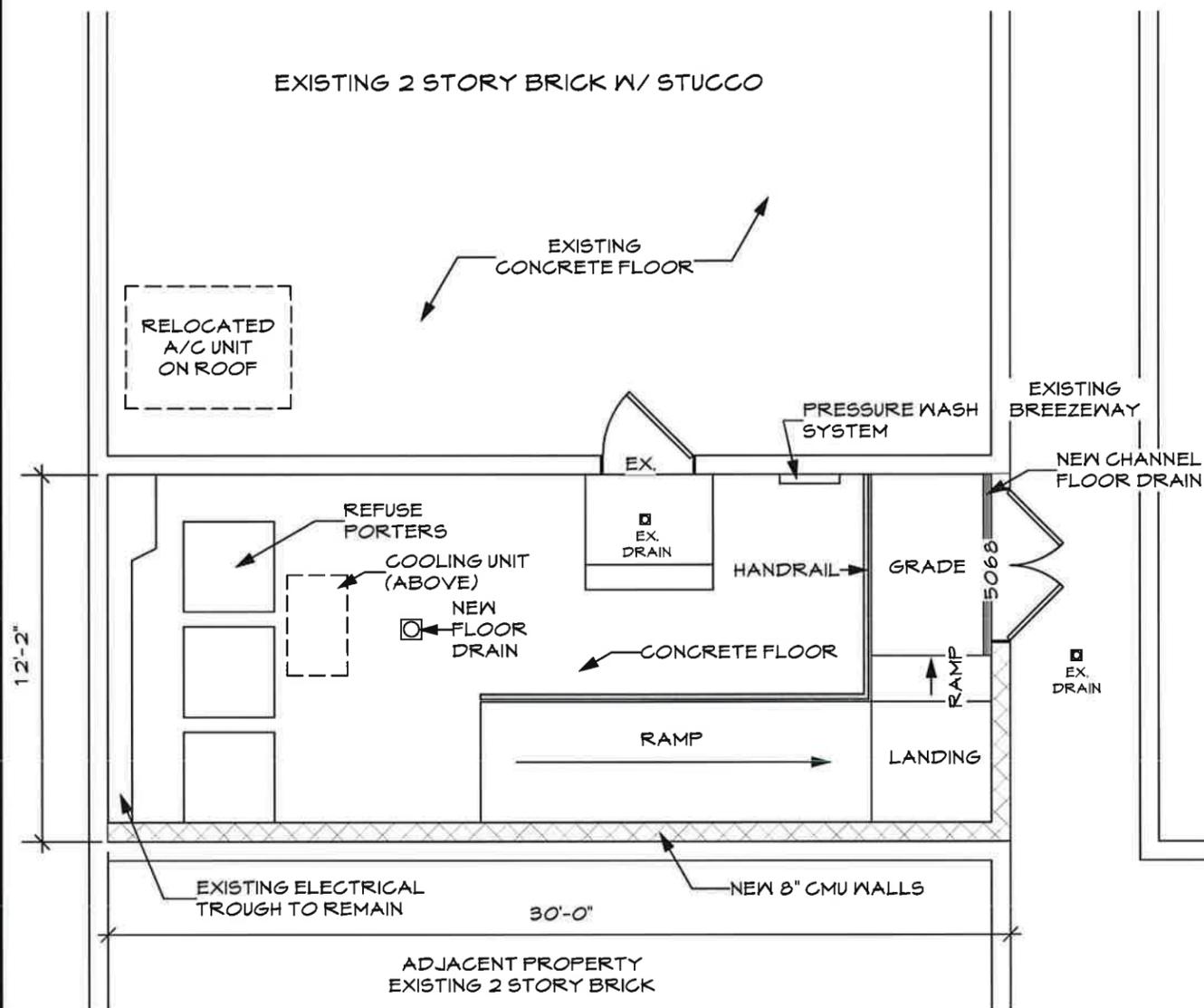
Scale:  
 3/16" = 1'-0"

Date:  
 5/10/14

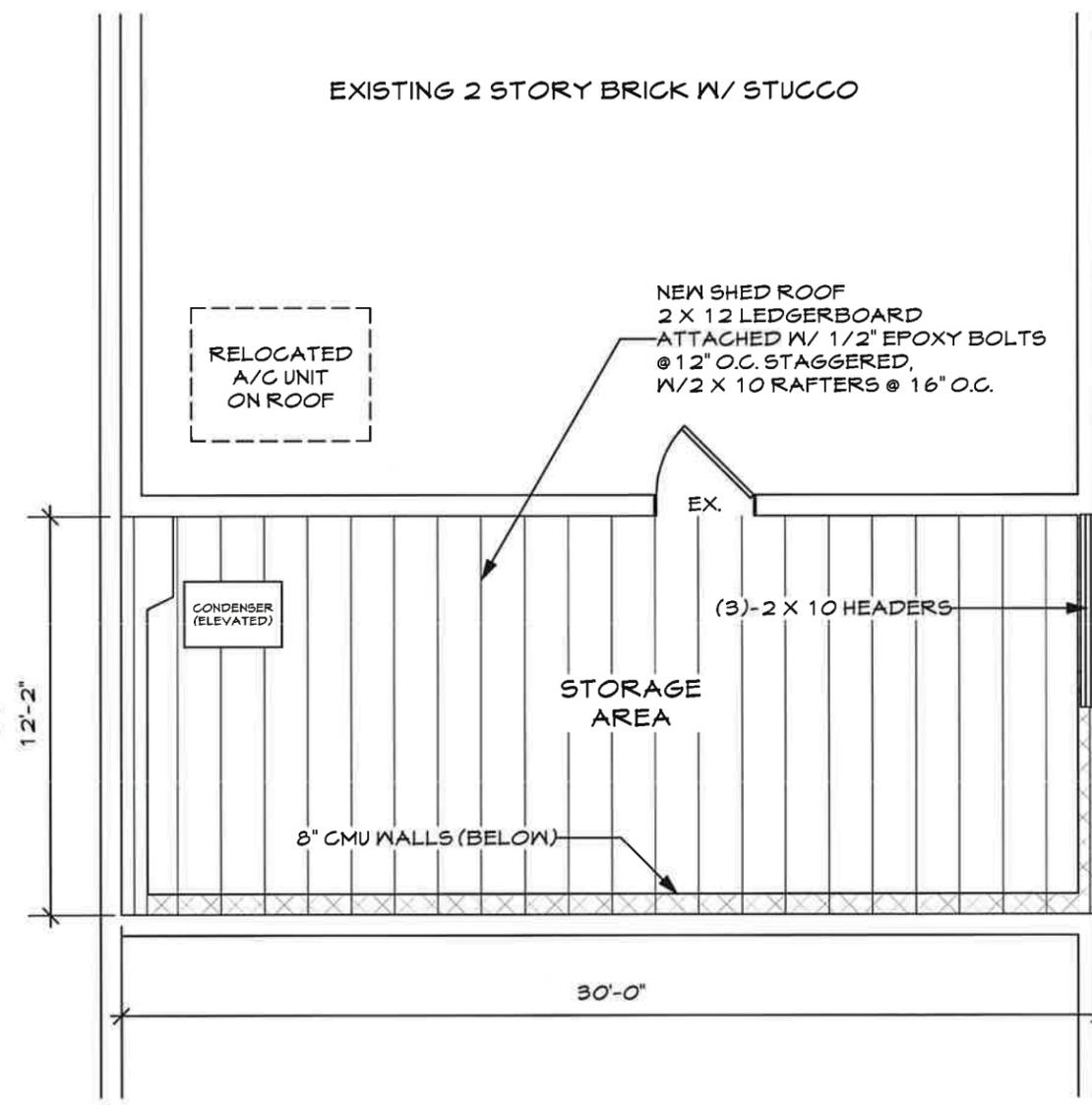
Designed By:

Drawn By:  
 A&LK LOML

Sheet: **01** Of: **4**



**2 Proposed Floor Plan**  
 Scale: 3/16" = 1'-0"

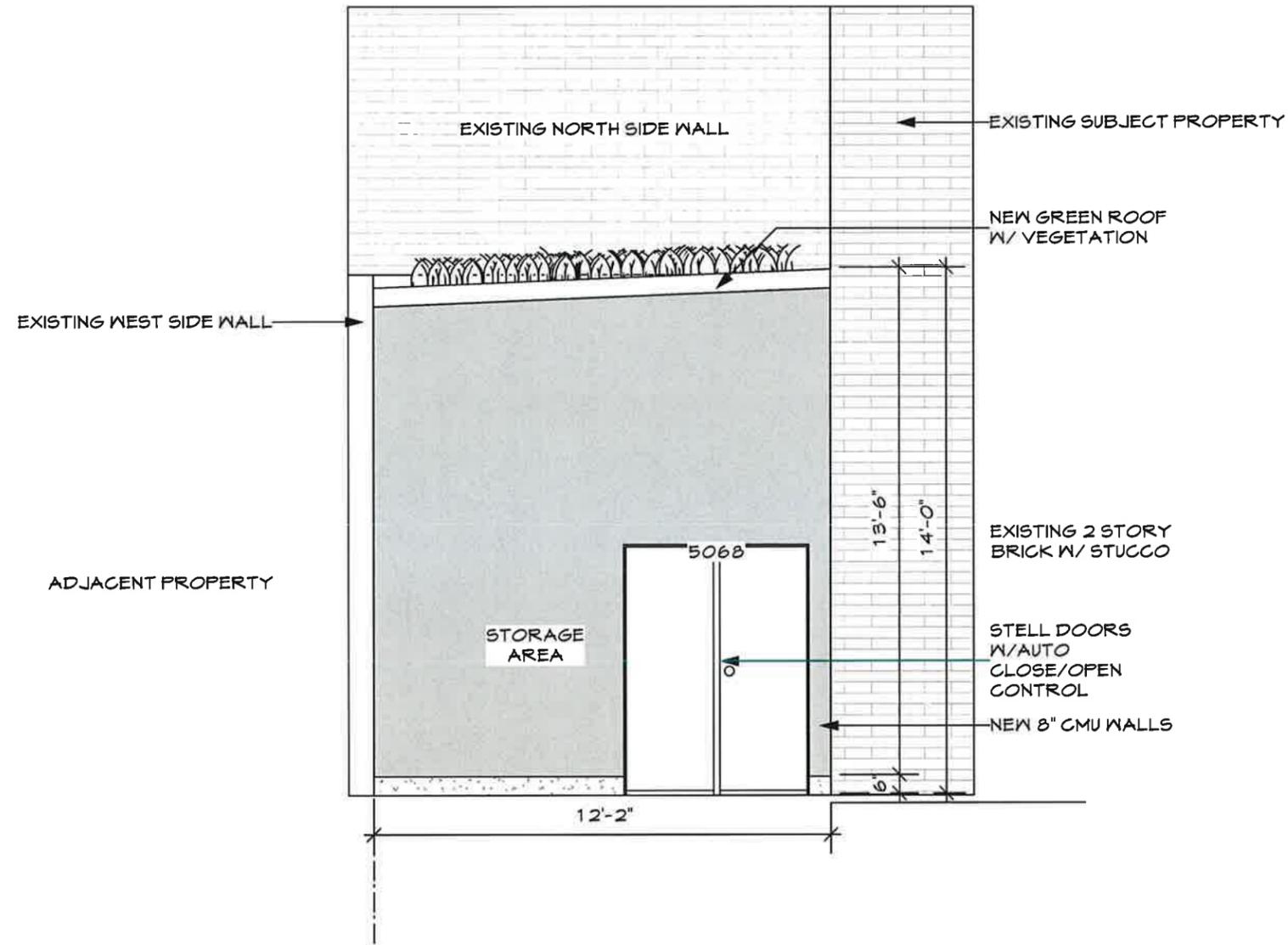


**3 Roof Framing Plan**  
 Scale: 3/16" = 1'-0"

# PIZZA  
 405 8th Street S.E.  
 Washington, D.C. 20002

Scale: 3/16" = 1'-0"  
 Date: 5/10/14  
 Designed By:  
 Drawn By: A&LK LOML

Sheet: 02 Of: 4

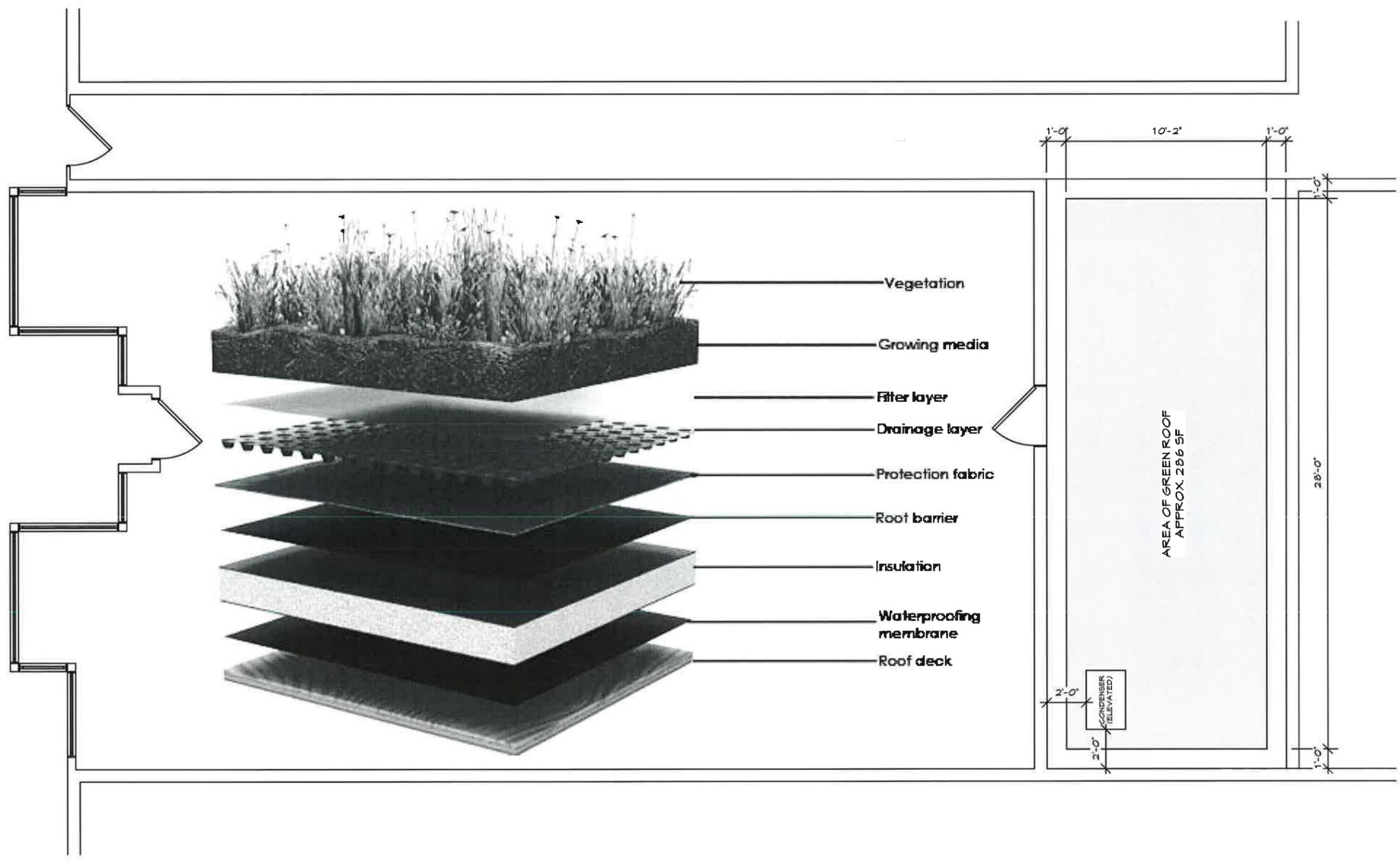


**# PIZZA**  
**405 8th Street S.E.**  
**Washington, D.C. 20002**

**Scale:**  
 3/16" = 1'-0"  
**Date:**  
 5/10/14  
**Designed By:**  
  
**Drawn By:**  
 A&LK LOML

4
**Proposed Elevation**  
 Scale: 1/4" = 1'-0"

**Sheet:**    **Of:**  
03    4



**# PIZZA**  
**405 8th Street S.E.**  
**Washington, D.C. 20002**

Scale:  
 3/16" = 1'-0"

Date:  
 5/10/14

Designed By:

Drawn By:  
 A&LK LOML

**5 Green Roof System**  
 Scale: 3/16" = 1'-0"

Sheet: **05** Of: **4**



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



**FORM 135 – ZONING SELF-CERTIFICATION**

<i>Project Address(es)</i>	<i>Square</i>	<i>Lot(s)</i>	<i>Zone District(s)</i>
405 8th Street SE	902	825	CHC/C-2-A

Single-Member Advisory Neighborhood Commission District(s):

**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	<input type="checkbox"/>	§3103.2 - Use Variance	<input checked="" type="checkbox"/>	§3103.2 - Area Variance	<input checked="" type="checkbox"/>	§3104.1-Special Exception
Pursuant to Subsections			774.1		733	

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.

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)

		<b>Maurice Kreindler</b> <small>Owner's Name (Please Print)</small>	
		<b>Allison C. Prince</b> <small>Agent's Name (Please Print)</small>	
<b>Date</b>	5/12/14	<b>D.C. Bar No.</b>	399248
		<b>or</b>	<b>Architect Registration No.</b>

**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

<input type="checkbox"/>	Accepted for filing.
<input type="checkbox"/>	Referred to the Office of the Zoning Administrator within DCRA, for determination of proper zoning relief required.
<input type="checkbox"/>	Rejected for failure to comply with the provisions of <input type="checkbox"/> 11 DCMR §3113.2; or <input type="checkbox"/> 11 DCMR - Zoning Regulations.
	Explanation _____

<b>Signature</b>		<b>Date</b>	
------------------	--	-------------	--

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

Case No. \_\_\_\_\_

**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 8 1/2" x 11" paper to complete the form.
2. Complete and file 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 4<sup>th</sup> 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.)	1862				N/A
Lot Width (ft. to the tenth)	30				N/A
Lot Occupancy (building area/lot area)	79%		100%	100%	N/A
Floor Area Ratio (FAR) (floor area/lot area)	1.59		3.0	1.8	N/A
Parking Spaces (number)	N/A				N/A
Loading Berths (number and size in ft.)	N/A				N/A
Front Yard (ft. to the tenth)	N/A				N/A
Rear Yard (ft. to the tenth)	12.98 feet	15 feet		0	15 feet
Side Yard (ft. to the tenth)	N/A				N/A
Court, Open (width by depth in ft.)	N/A				N/A
Court, Closed (width by depth in ft.)	N/A				N/A
Height (ft. to the tenth)	N/A				N/A

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.





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



**FORM 126 – BOARD OF ZONING ADJUSTMENT FEE CALCULATOR**

Per §3180 of the Zoning Regulations, at the time of the filing of an application or an appeal with the Board of Zoning Adjustment, the applicant or appellant shall pay a filing fee in accordance the fee calculator below. In the case of an application combining two (2) or more actions, or for an application requesting consideration of more than one alternative, the fee shall be the total of the amounts for each action or alternative computed separately. However, for applications involving owner-occupied, one-family dwellings or flats, regardless of the number of variances, special exceptions, or alternatives requested, the fee is three hundred and twenty-five dollars (\$325.00). A department, office, or agency of the Government of the District of Columbia shall not be required to pay a filing fee where the property is owned by the agency and the property is to be occupied for a government building or use.

APPLICATION OR APPEAL TYPE:	FEE	UNIT	TOTAL
<b>VARIANCE:</b>			
Owner-Occupied Dwelling	\$325		
All Other Variances Per Section Requested	\$1,040	1	\$1,040
<b>TOTAL FOR VARIANCES:</b>			<b>\$1,040</b>
<b>SPECIAL EXCEPTION:</b>			
Parking Lot/Garage/Accessory Parking (per space)	\$104		
Child Development Center (per student)	\$33		
Private School (per student)	\$33		
Residential Under §353	\$520		
CBRF (per person)	\$104		
Office Use in SP (per 100 square feet)	\$52		
Roof Structures	\$2,600		
Hotel or Inn in SP (per room or suite)	\$104		
Gasoline Service Station	\$5,200		
Repair Garage	\$1,560		
Home Occupation	\$1,560		
Accessory Apartment Under §202	\$325		
Theoretical Lot Under §2516	\$1,560		
Additional Theoretical Lot Under §2516	\$520		
Recycling Facility Under §802	\$5,200		
Antenna Under §211	\$2,600		
Any Other Special Exception	\$1,560	1	\$1,560
Chancery (per 100 square feet)	\$65		
Owner-Occupied Special Exception	\$325		
Time Extension/Modification – Owner Occupied	\$130		
Time Extension/Modification – All other (percentage of filing fee)	26%		
<b>TOTAL FOR SPECIAL EXCEPTIONS:</b>			<b>\$1,560 (already paid)</b>
<b>APPEAL:</b>			
NCPC/ANCs/Citizens Association/Civic Association/Not-for-Profits	\$0		
All other organizations, groups or persons	\$1,040		
<b>TOTAL FOR APPEALS:</b>			
<b>GRAND TOTAL:</b>			<b>\$1,040</b>

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)

Name:

Signature:

Exhibit No. \_\_\_\_\_

Last Revised (10/18/10)

Case No. 18770