BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

NEBRASKA AVENUE
NEIGHBORHOOD ASSOCIATION
AND ADVISORY NEIGHBORHOOD
COMMISSION 3G,
APPELLANTS

APPEAL NO. 16716
PUBLIC HEARING: JULY 17, 2001

STATEMENT OF SUNRISE CONNECTICUT AVENUE
ASSISTED LIVING LLC, OWNER

I.
Introduction

The subject appeal was filed on March 16, 2001, by Page Chiapella on behalf of the Nebraska Avenue Neighborhood Association. The appeal challenges the decision of Michael D. Johnson, the District of Columbia Zoning Administrator, to approve the issuance of a building permit authorizing the construction of an assisted living facility at 5111 Connecticut Avenue, N.W., Lot 162, Square 1989, (the "subject property").

On April 9, 2001, Advisory Neighborhood Commission ("ANC") 3G filed a letter with the Board of Zoning Adjustment ("BZA" or "Board") noting that it had voted to join in the appeal filed by the Nebraska Avenue Neighborhood Association. Hereinafter, the Nebraska Avenue Neighborhood Association and ANC 3G are referred to as Appellants.

When the building permit application was filed on July 10, 2000, the subject property was owned by a number of individual property owners and Sunrise Connecticut Avenue Assisted Living LLC ("Sunrise"). Subsequent to the issuance of the building permit on March 8, 2001, Sunrise completed its purchase of all of the subject property. Pursuant to 11 DCMR 3199.1, as owner of the subject property, Sunrise is automatically a party in this case.

#28

Board of Zoning Adjustment
District of Columbia
CASE NO.16716
EXHIBIT NO.28A1

Sunrise fully supports the Zoning Administrator's decision to approve the building permit authorizing the construction of an assisted living facility on the subject property. More specifically, Sunrise believes that the Zoning Administrator properly applied the relevant portions of the Zoning Regulations in determining that the building permit application fully complied with the applicable zoning requirements for the subject property. Accordingly, Sunrise appears as a party in opposition to the appeal and requests that the appeal be denied.

II.
Summary Response to
Issues Raised By the Appellants

The appellants contend that the Zoning Administrator's decision to approve the building permit application was erroneous for the following reasons:

1. The approved building violates the building height, FAR and density requirements of the R-3 [R-5-B] zone;

2. The building permit was granted for an assisted living facility even though no special use permit was sought or approved; and

3. The approved building violates the rear yard setback requirements for the R-5-D zone;

4. The approved building violates the floor area ratio ("FAR") requirements for a building located in the R-5-D zone;

5. The approved building violates the loading dock requirements of the R-5-D zone, because the proposed loading dock is a sham.

In addition, the original filing of the appeal included references to the "lack of DCRA and/or applicant responses to external agency concerns," the contention that "various DCRA and other agency reviews were based on significantly inaccurate and incomplete information, including misrepresentations on the application and EISF", and "lack of DCRA to provide access to many relevant materials to allow neighbors of the proposed building to be informed of zoning issues of the application."

The issues raised by the Appellants do not support a reversal of the decision of the Zoning Administrator. As discussed in greater detail in Section V, each of the Appellants' arguments is flawed and should be rejected. The Zoning Administrator's decision to approve the building permit application was correct and is fully supported by the regulations as well as local and federal law.

1. The approved building is vested under the R-5-D zoning, the only zoning applicable to the subject property when the building permit was filed.

2. The approved assisted living facility is a matter-of-right use on the subject property, pursuant to 11 DCMR 330.5(i) and special exception approval is not necessary.

3. The approved building provides an adequate rear yard setback, as approved independently by the Zoning Administrator in a confirmatory letter dated May 16, 2000 and signed by the Zoning Administrator on July 8, 2000.

4. The approved building satisfies the FAR requirements of the R-5-D zone.

5. The approved building fully satisfies the loading requirements of the R-5-D zone.

With regard to the non-zoning issues raised by the Appellants, Sunrise notes that these issues are outside the scope of the BZA's review authority and should not be addressed in the appeal. The Zoning Act (D.C. Code Sec. 5-424(f) (2000)) provides for appeals to the BZA that are "based in whole or in part upon any zoning regulation or map." In implementing that provision of the Act, the Zoning Regulations (11 DCMR 3100.2) provide that the BZA may "hear and decide appeals where it is alleged by the Appellant that there is error in any order, requirement, decision, determination, or refusal made by any administrative officer or body, including the Mayor, in the administration or enforcement of this Title." The BZA has consistently confirmed that interpretation on many occasions. See, for example, BZA Orders No. 13917, 13967, 14424, 15941, and 16246. Accordingly, Appellants' allegations that DCRA

officials failed to address external agency concerns and did not provide full access to DCRA records are not zoning matters and are not properly before this Board.

III.
List of Witnesses

The following is a list of witnesses who will testify on behalf of Sunrise:

1) Sean Ambrose, Vice President and Senior Development Officer, Sunrise Assisted Living.

2) Armando Lourenco, Zoning Consultant.

3) Steven Ruiz, Beery Rio & Associates, Project Architects.

IV.
List of Exhibits

The following exhibits are included in support of Sunrise's case and to establish that the building permit was issued in full compliance with all zoning requirements:

Exhibit A	Letter signed by Gladys Hicks, Deputy Zoning Administrator, on December 17, 1998, confirming matter of right use.
Exhibit B	Letter signed by Gladys Hicks, Deputy Zoning Administrator, on March 9, 1999, confirming parking and loading requirements.
Exhibit C	Office of Planning Report in support of initial alley closing application.
Exhibit D	Chronology of meetings between Sunrise and the community.
Exhibit E	Letter signed by Michael Johnson, Zoning Administrator, on July 8, 2000, confirming the height, rear yard, side yard and court requirements.
Exhibit F	Copy of July 10, 2000, building permit application.
Exhibit G	Chronology of BLRA comments on building permit application and Sunrise's responses.

Exhibit H	Copy of Building Permit No. B43564 issued March 8, 2001.
Exhibit I	BZA Order No. 16604.
Exhibit J	Opinion of Corporation Counsel dated February 5, 1987, regarding the "setdown" rule.
Exhibit K	Office of Planning report stating that a Community Residence Facility is housing for the handicapped.
Exhibit L	Federal court decisions regarding the definition of handicapped.
Exhibit M	Reduced drawings demonstrating that the project meets the FAR, rear yard and loading requirements.

V.
History of Events Leading Up To the Appeal

Sunrise first identified the subject property as an appropriate location for an assisted living facility in 1997. On October 15, 1998, Sunrise met with the Deputy Zoning Administrator at that time, Gladys Hicks, to discuss the proposed use of the property as an assisted living facility. On December 17, 1998, Sunrise received written confirmation from Ms. Hicks that the proposed assisted living use would be permitted as a matter of right, once the proposed amendments to the Zoning Regulations were adopted regarding housing for the handicapped.[1] A copy of this letter is attached as Exhibit A. Sunrise received additional confirmation from Ms. Hicks on March 8, 1999, regarding the number of required parking spaces and loading berths for the assisted living facility. A copy of this letter is attached as Exhibit B.

[1] The D.C. Zoning Commission adopted these amendments to the Zoning Regulations in Zoning Commission Order No. 869, which became effective April 30, 1999. The amendment were required in order to bring the Zoning Regulations into compliance with the Federal Fair Housing Act. This action was mandated by the Settlement Agreement entered into between the District of Columbia Government and the U.S. Department of Justice.

Initially, Sunrise envisioned a building on the subject property that required the closing of the alley stub in Square 1989 that is surrounded by the subject property. An alley closing application was filed by Sunrise on August 2, 1999, to close the alley stub. All city agencies reviewed the alley closing application and had no objection, including the Office of Planning ("OP"). (See the OP Report attached as Exhibit C.) As part of the alley closing process, Sunrise met with ANC 3G regarding the proposed alley closing application at a regularly scheduled public meeting on February 14, 2000. Thereafter, Sunrise engaged in numerous meetings with individual ANC Commissioners and individual members of the community (including members of the Nebraska Avenue Neighborhood Association) to obtain their support for the closing. Sunrise also attended a meeting with all seven ANC Commissioners and numerous immediate neighbors of the subject property.[2] Despite the efforts of Sunrise, including offers to provide a public easement to better improve traffic circulation in the alley and a construction management plan to address issues related to the construction of the project, the ANC and the community decided to oppose the alley closing application. As a result of this opposition and despite the fact that none of the reviewing District of Columbia agencies had objected to the alley closing application, Sunrise decided to abandon the alley closing application and pursue a building design that did not require closure of the alley stub.

On May 2, 2000, Sunrise met with the current Zoning Administrator, Michael Johnson, to review the matter-of-right zoning requirements for the proposed building, including height, rear yard setback, side yard setback and court determinations. On July 8, 2000, Michael Johnson provided written confirmation of the appropriate development parameters for the proposed

[2] A more exhaustive chronology of Sunrise's history of dialogue with the ANC and the community is attached as Exhibit D.

assisted living facility on the site. A copy of this letter is attached as Exhibit E. In reliance on this determination as well as the two previous determinations of the Zoning Administrator, Sunrise filed its building permit application on July 10, 2000 (see the attached Exhibit F).[3]

The detailed working drawings that were filed with the building permit application included **178 pages** and showed the construction of an assisted living facility for seniors. Sunrise and its consultants followed the normal building permit application process and responded to comments raised by the technical reviewers of the Building and Land Regulation Administration (BLRA) as they became available.[4] After an exhaustive review process that took approximately **8 months**, Building Permit No. B43564 was issued on March 8, 2001, authorizing the construction of a "seven story cast in place concrete structure containing assisted living residences (CRF, housing for the handicapped as the term is defined by the fair housing act) with underground parking." (See the attached Exhibit H.) On March 16, 2001, the present appeal was filed.

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[3] After the building permit application was filed by Sunrise, ANC 3G filed an application with the Zoning Commission to downzone the property from R-5-D to R-3. The Zoning Commission set down the case for hearing at its October 16, 2000 public meeting. A public hearing on the proposed downzoning application was held on March 29, 2001. At its June 11, 2001, public meeting the Zoning Commission took proposed action to downzone the subject property from R-5-D to R-5-B. While the project is fully vested, the proposed change in zoning for the subject property would render the approved building a non-conforming structure since the permitted density in the R-5-B District is approximately one-half the density permitted in the R-5-D District. Further, the maximum permitted height is 50 feet as opposed to 90 feet under R-5-D.

[4] A more exhaustive chronology of Sunrise's response to BLRA comments is attached as Exhibit G.

VI.

Detailed Response to Zoning Issues Raised by the Appellants

The Appellants' burden of proof is "to show by a *preponderance of the evidence* that the building permit was issued in error because the proposed building would violate the Zoning Regulations." (See p.3. of BZA Order 16604 dated November 22, 2000 (Exhibit I) in which the BZA upheld the issuance of a building permit for the Sikh Cultural Society at 3801 Massachusetts Avenue, N.W.) Accordingly, there is a strong presumption of the permit's validity and the BZA can overturn the Zoning Administrator's decision only if there is strong evidence of an error. In this case, Appellants have failed to meet their burden of proof.

1. The R-5-D Zoning Requirements Apply to the Subject Property

The Appellants have asserted that the building permit application should have been processed under the R-3 zoning that was being considered for the site pursuant to the downzoning petition setdown for hearing by the Commission on October 16, 2000. The so-called "setdown rule" states that if a building permit application is filed when the Commission has a rezoning application pending, a permit can be issued only if it is consistent with the most restrictive zoning being considered. As the Office of Corporation Counsel has determined, the setdown rule is inapplicable in the subject situation because the building permit application was filed before the downzoning was setdown for hearing. The setdown rule simply does not apply. This is consistent with prior opinions of Corporation Counsel. (See the attached Exhibit J.)

In their recent submission, the Appellants suggest that despite the filing prior to setdown, the more restrictive zoning applies because the plans were incomplete. On the contrary, the full set of working drawings and accompanying building permit application fully complied with the Zoning Regulations, were complete in all respects and provided adequate basis for the issuance

of the building permit. (See 11 DCMR 3202.5 which requires that plans be sufficiently complete "to permit processing without *substantial* change or deviation.") The minor clarifications that were made to the application and plans in response to requests by DCRA/BLRA reviewing officials were not substantial changes and in no way undercut Sunrise's vested rights.

2. An Assisted Living Facility is a Matter-of-Right Use

Section 330.5(i) of the Zoning Regulations permits Community Residence Facilities as a matter-of-right in the R-4 and higher zones as long as the facility serves housing for the handicapped. Handicap is defined in the Federal Fair Housing Amendments Act ("FFHAA") as a physical or mental impairment which substantially limits one or more of a person's major life activities. Sunrise secured a ruling from the Zoning Administrator that the individuals to be served by the proposed assisted living facility meet this definition.

The background of Section 330.5(i) of the Zoning Regulations is critical to a full understanding of this issue. Prior to the revision of Section 330.5(i) in 1998, the Zoning Regulations did not permit a Community Residence Facility ("CRF") in the residential zone regardless of whether it served handicapped people unless the facility served fewer than nine people. After the adoption of the Federal Fair Housing Amendments Act, the United States Justice Department determined that District of Columbia's Zoning Regulations did not provide equal housing opportunities for handicapped persons to reside in multi-family zones. In practice, many handicapped facilities were deemed CRFs and were subject to limitations that did not pertain to housing serving non-handicapped persons. The Justice Department threatened to sue the District Government to resolve this differential treatment.

On September 30, 1997, the District signed a "stipulated agreement" with the Justice Department agreeing to petition for a change to the Zoning Regulations by December 24, 1998,

to eliminate the unequal treatment. The change that is relevant in this case was to allow CRFs for handicapped persons in the multi-family zone as a matter-of-right, so that such facilities are not subject to a greater level of regulation than that applicable to housing for non-handicapped persons. Thereafter, the regulations were changed as shown in the current language in Section 330.5(i). The Office of Planning supported this change to the Zoning Regulations and stated in its report that:

> The most straightforward effect of this rule is that a Community Residence Facility (which is specifically intended and operated for handicapped persons) and any other CBRF specifically for occupancy by handicapped persons would no longer be subject to any restrictions, such as special exception, numerical occupancy limit or spacing requirements.

(See the attached Exhibit K, p.5.) (The regulations distinguish youth and adult rehabilitation homes and other facilities which are not housing for the handicapped.)

The proposed assisted living facility will also fully comply with the newly adopted Assisted Living Residence Regulatory Act of 2000 and will provide residents with assistance in activities of daily living such as eating, bathing, toileting, grooming, dressing, undressing and mobility. This particular facility will also serve individuals with cognitive impairment caused by Alzheimer's Disease. These residents clearly meet the definition of handicapped under the FFHAA and qualify as members of a protected class under the FFHAA by virtue of having "a physical or mental impairment which substantially limits one or more of such person's major life activities." 42 U.S.C. §3602(h). See, e.g., *Hovsons, Inc. v. Township of Brick*, 89 F.3d 1096, 1103 & n. 3 (1996); *Assisted Living Associates of Moorestown, L.L.C. v. Moorestown Township*, 996 F. Supp. 409, 435 (D.N.J. 1998) (Copies of relevant portions of these decisions are attached as Exhibit L.)

The Appellants' latest assertions in their filing dated June 25, 2001, are disturbing and demonstrate the Appellants' open hostility toward housing for the handicapped. The Appellants allege that a CRF is not a residential use, that the assisted living use is transient in nature and that because of the cognitive impairment of some of the future residents, the use does not qualify as a CRF. Essentially, they argue that the residents are too handicapped to be permitted to reside in a building designed to address their precise needs! This exact type of hostility was the basis for the federally-mandated changes to the Zoning Regulations to ensure that the handicapped are not victims of discrimination in housing. The Board cannot disregard the plain language of the Zoning Regulations and the FFHAA which establish that the proposed use is permitted as a matter of right.

3. Satisfaction of Rear Yard Setback Requirement

The proposed building fully complies with the rear yard setback requirement. Prior to finalizing the building design, Sunrise sought a written confirmation from the Zoning Administrator confirming the proposed method for computing the rear yard for this irregularly configured lot. Such confirmation was obtained in a confirmatory letter dated May 16, 2000 and signed by the Zoning Administrator on July 8, 2000. (Exhibit E.)

As shown in Exhibit M, while a typical square lot contains four sides (a front, a rear and two side yards) the subject lot is five-sided and hence, irregular. Further, an alley stub protrudes into the lot at an angle. In considering the lot's unusual configuration, the Zoning Administrator correctly determined that Connecticut Avenue was the front, the portion of the lot abutting the north-south alley to the rear, running roughly parallel to Connecticut Avenue, was the rear. Further, the Zoning Administrator concluded that the southern side yard abutted the property to

the south adjacent to the property at 5109 Connecticut Avenue and that the northern side yard abutted the alley stub. This determination was both reasonable and appropriate.

The Appellants have suggested a tortured interpretation of the rear yard requirement. Specifically, they have argued that the rear yard is not only that portion of the lot abutting the north-south alley to the rear but also, that portion of the lot that abuts the alley stub along the northern side of the proposed building. Such interpretation is not logical, appropriate or reasonable and simply cannot be supported by the Zoning Regulations. The portion of the building that abuts the alley stub cannot be considered the "rear line of the building."

4. The Project Satisfies the FAR Requirements

The building's FAR has been properly calculated and fully complies with the 3.5 FAR limit applicable in the R-5-D zone. In computing FAR, the architects carefully evaluated the definition of "gross floor area" contained in the regulations. The FAR computations correctly excluded a portion of the garage level of the building since only 11.9% of that level constitutes basement space. In determining the amount of the garage level that should count toward FAR, the architects applied the well-established and long-recognized "perimeter wall test." The percentage of the building perimeter that is more than four feet out of grade was applied to the square footage for the entire level. The resulting square footage was counted toward gross floor area as basement. (See Exhibit M which includes data regarding the correct computation of the building's FAR.)

In the submission dated June 25, 2001, ANC 3G sets forth its own computation of FAR. This computation was not performed by an architect and evidences a lack of familiarity with the regulations. For example, the computation states that the utility and elevator rooms in the penthouse count toward FAR while the regulations clearly provide that such non-habitable

penthouse space is not countable towards FAR. Further, ANC 3G's computations refer to the purported third floor balconies as countable toward FAR. These so-called balconies are actually roof terraces that are open to the sky and therefore are in fact not balconies, but rather roof terraces that are not countable toward FAR as they are open to the sky. The setbacks that occur at the third floor level allow for the provision of these roof terraces. Finally the square footage for the basement level was not calculated properly by ANC 3G. Only 11.9% of the building perimeter is more than four feet out of grade not 33% as alleged by the Appellants. Sunrise's FAR computations were prepared by licensed architects and reviewed by experienced zoning officials at the Office of the Zoning Administrator. The ANC's calculation is erroneous and cannot be used as a basis to overturn the city's and the architect's computations.

5. The Project Meets the Loading Requirement

The building permit drawings correctly show a fully compliant loading berth as required under the regulations. The parking and loading requirements were confirmed by the Zoning Administrator in a letter signed on March 9, 1999, attached as Exhibit B. The Appellants' statement that the loading berth is a "sham" is baseless. The allegation that Sunrise intends to use the alley stub that it sought to close in place of the loading berth that will be an integral part of the new building is illogical and pure conjecture by the Appellants. Moreover, the portion of the building along the alley stub does not include any doors that would allow access for deliveries and supplies. As shown in the drawings attached as part of Exhibit M, the loading dock for the building is situated on private property, in an area that is conducive to an efficient and orderly system of delivering supplies to the building.

VII.
Conclusion

For the above-mentioned reasons, Sunrise respectfully requests that the Board deny the appeal.

Respectfully submitted,

Maureen E. Dwyer

Allison C. Prince

Paul A. Tummonds, Jr.

7/12/01
Date

Document #: 1134414 v.4

A

WILKES, ARTIS, HEDRICK & LANE
CHARTERED
ATTORNEYS AT LAW
SUITE 1100
1666 K STREET, N. W.
WASHINGTON, D. C. 20006-2897
(202) 457-7800

CABLE ADDRESS: WILAN
FAX: 202-457-7814

MAUREEN E. DWYER
202-457-7860

ANNAPOLIS, MARYLAND
BETHESDA, MARYLAND
FAIRFAX, VIRGINIA
GREENBELT, MARYLAND
WALDORF, MARYLAND

December 15, 1998

BY HAND

Ms. Gladys Hicks
Deputy Zoning Administrator
614 H Street, N.W.
Room 333
Washington, D.C. 20001

Re: 5111-5123 Connecticut Avenue, N.W.

Dear Ms. Hicks:

This letter is to confirm that use of the above referenced property as a new assisted living facility will fully comply with the use requirements of the Zoning Regulations once the Zoning Commission has taken final action on the proposed text amendments to the Zoning Regulations for community-based residential facilities (Zoning Commission Case No. 97-15(i)).

The site consists of Lots 49-56 in Square 1989 (see attached plat) and is currently improved with a mix of residential buildings. The property is zoning R-5-D. The plan is to raze the existing buildings and to construct a new assisted living facility consisting of approximately 100 units or 120 residents.

When we met with you on October 15, 1998, we discussed in detail the proposed use and the existing zoning requirements. (Enclosed is a copy of the agenda from our meeting, with attachments.) At that time, you confirmed that under current zoning regulations, the proposed assisted living facility would require special exception approval as a community-based residential facility given the nature of the services provided. We also discussed at that time the proposed text amendments to the Zoning Regulations for community-based residential facilities which will amend the Regulations by permitting

such facilities as a matter of right in the R-4 and higher districts. The proposed new subsection 330.5(i) reads as follows:

> 330.5(i) The following uses shall be permitted as a matter of right in an R-4 district: ...
>
> (i) Community based residential facility; Provided, that notwithstanding any provision in this title to the contrary, the Zoning Administrator has determined that such community based facility, which otherwise complies with the zoning requirements of this title that are of general and uniform applicability to all matter of right uses in an R-4 District, is intended for, license, and operated as housing the handicapped as that term is defined under Section 3602(h) of the Fair Housing Act, as amended, 42 U.S.C. Section 3601 et seq. (1955).

You confirmed at our meeting that once the Zoning Commission took final action on the proposed text amendments, the proposed assisted living facility would qualify as a facility operated as housing for the handicapped as that term is defined under the Fair Housing Act. The actual definition adopted in Section 802 of the Fair Housing Act Amendment defines handicap as, inter alia, "a physical or mental impairment which substantially limits one or more of such person's major life activities."

The Zoning Commission has now taken proposed action on the text amendments and NCPC has also indicated that it has no objection to the proposed text amendments. Once the Zoning Commission has taken final action on the proposed text amendments, the proposed assisted living facility which is located in an R-5-D district will be permitted as a matter of right and such use fully complies with the requirements of the Zoning Regulations.

If the above conforms with your understanding of the facts, please indicate your agreement by signing in the space provided below.

Thank you for your attention to this matter.

Sincerely yours,

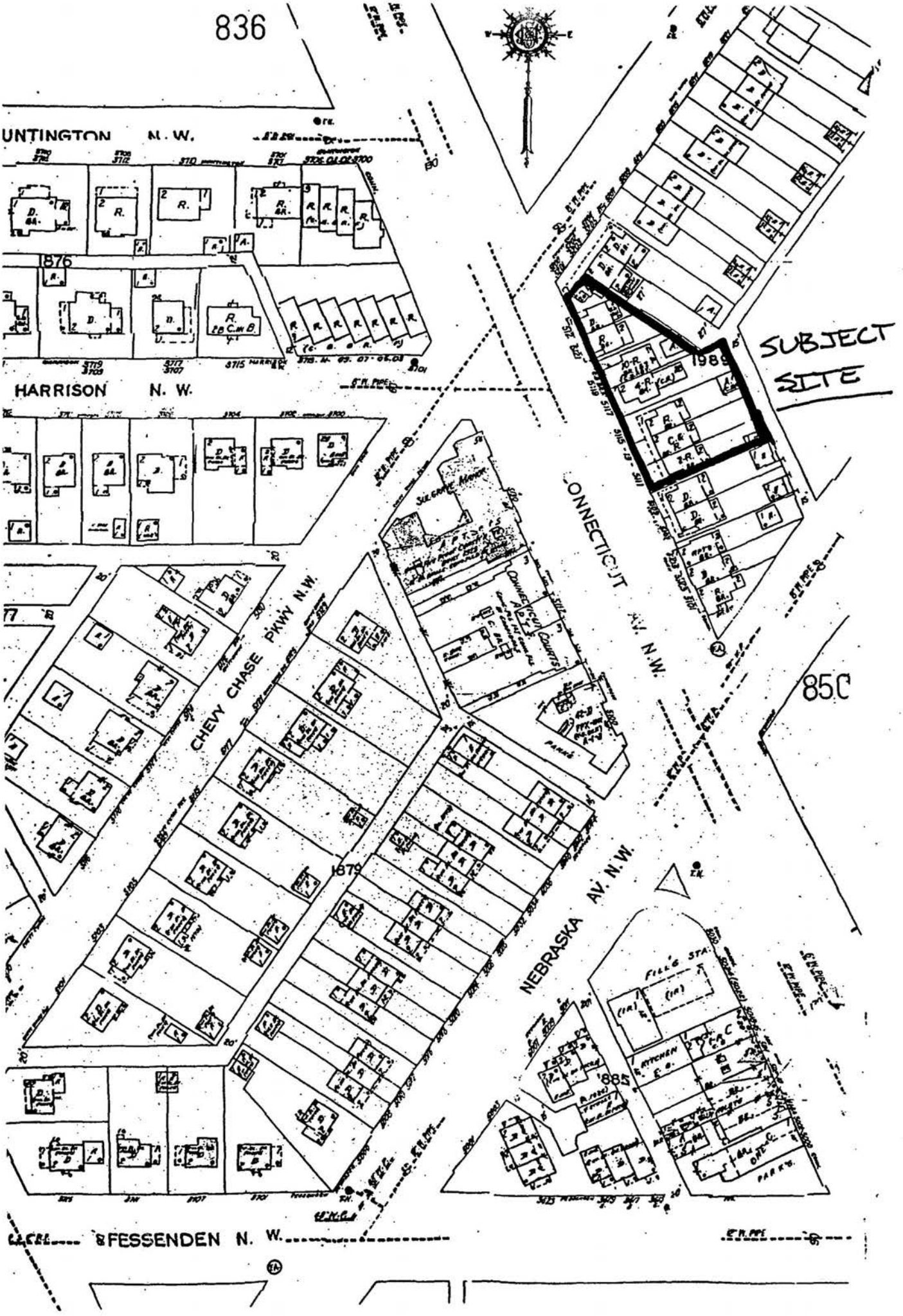
Maureen Ellen Dwyer

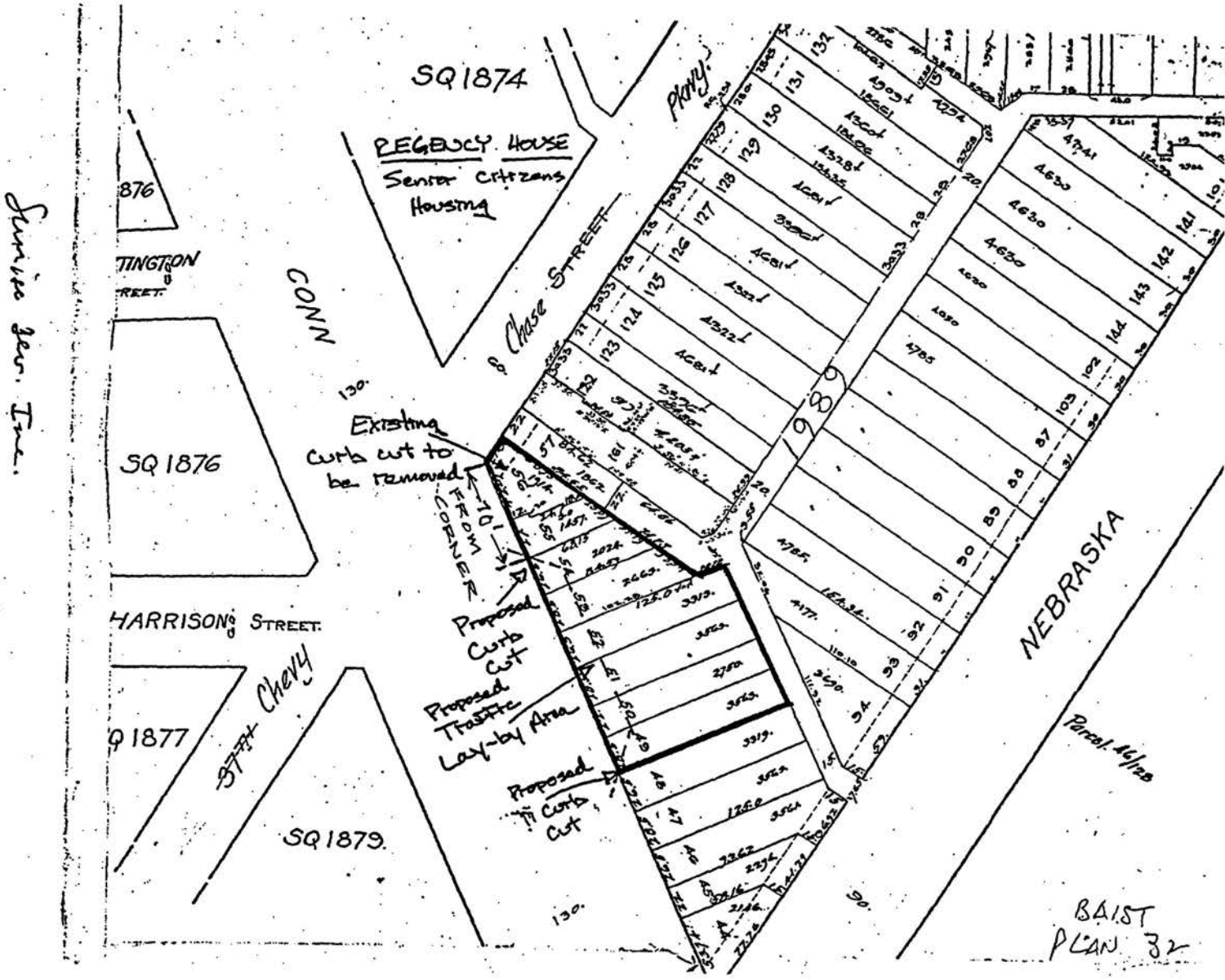
Richard S. Nero, Jr.
Urban Planner

MED/RSN:lm/120609

APPROVED:

Gladys Hicks
Deputy Zoning Administrator
Date: 12/17/98


836
UNTINGTON N. W.
1876
HARRISON N. W.
SUBJECT SITE
CONNECTICUT AV. N.W.
CHEVY CHASE PKWY N.W.
1879
NEBRASKA AV. N.W.
1885
850
FESSENDEN N. W.


SQ 1874
REGENCY HOUSE
Senior Citizens
Housing
Pkwy.
CONN
Chase STREET
1989
Existing
Curb cut to
be removed
70' FROM CORNER
Proposed
Curb
Cut
Proposed
Traffic
Lay-by Area
Proposed
"T" Curb
Cut
SQ 1876
SQ 1877
SQ 1879
HARRISON STREET
37th Chevy
NEBRASKA
Parcel 46/128
130.
90.
BAIST
PLAN 32
Sunrise Ter. Inc.

AGENDA

Meeting with Gladys Hicks Concerning the Proposed Development
of a New Assisted Living Facility
at 5111 - 5123 Connecticut Avenue, N.W.
(Lots 49 through 56, in Square 1989)

October 15, 1998

11:00 A.M.

I. Introduction - Sunrise Development Inc.

II. Description of the Proposed Use

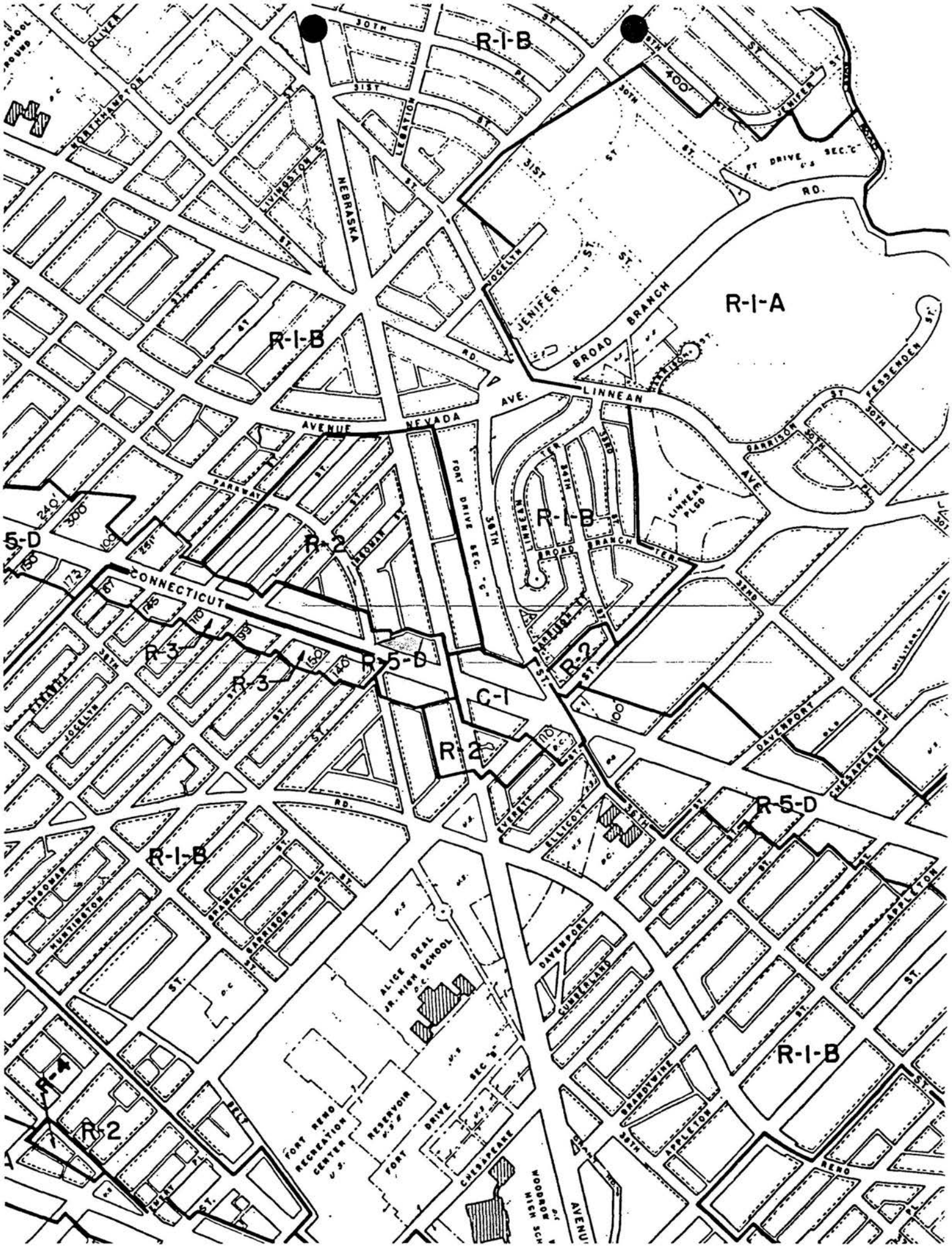
- A. 100 Units, 120 Residents
- B. Studios, One and Two Bedrooms
- C. Central Dining
- D. Licensed Nurses, No Doctors
- E. Administrative Offices
- F. Activity - Meeting Rooms

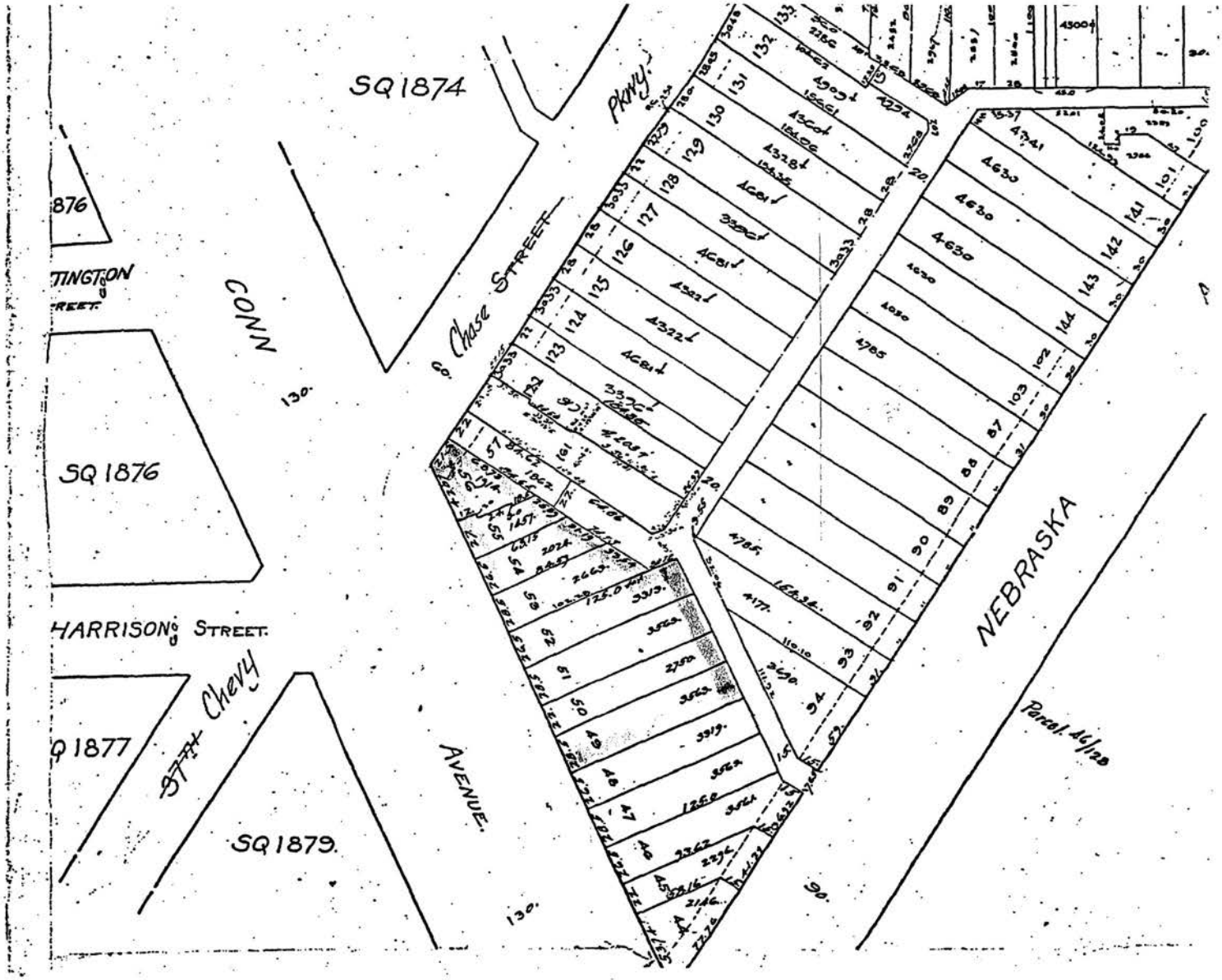
III. Zoning Requirements

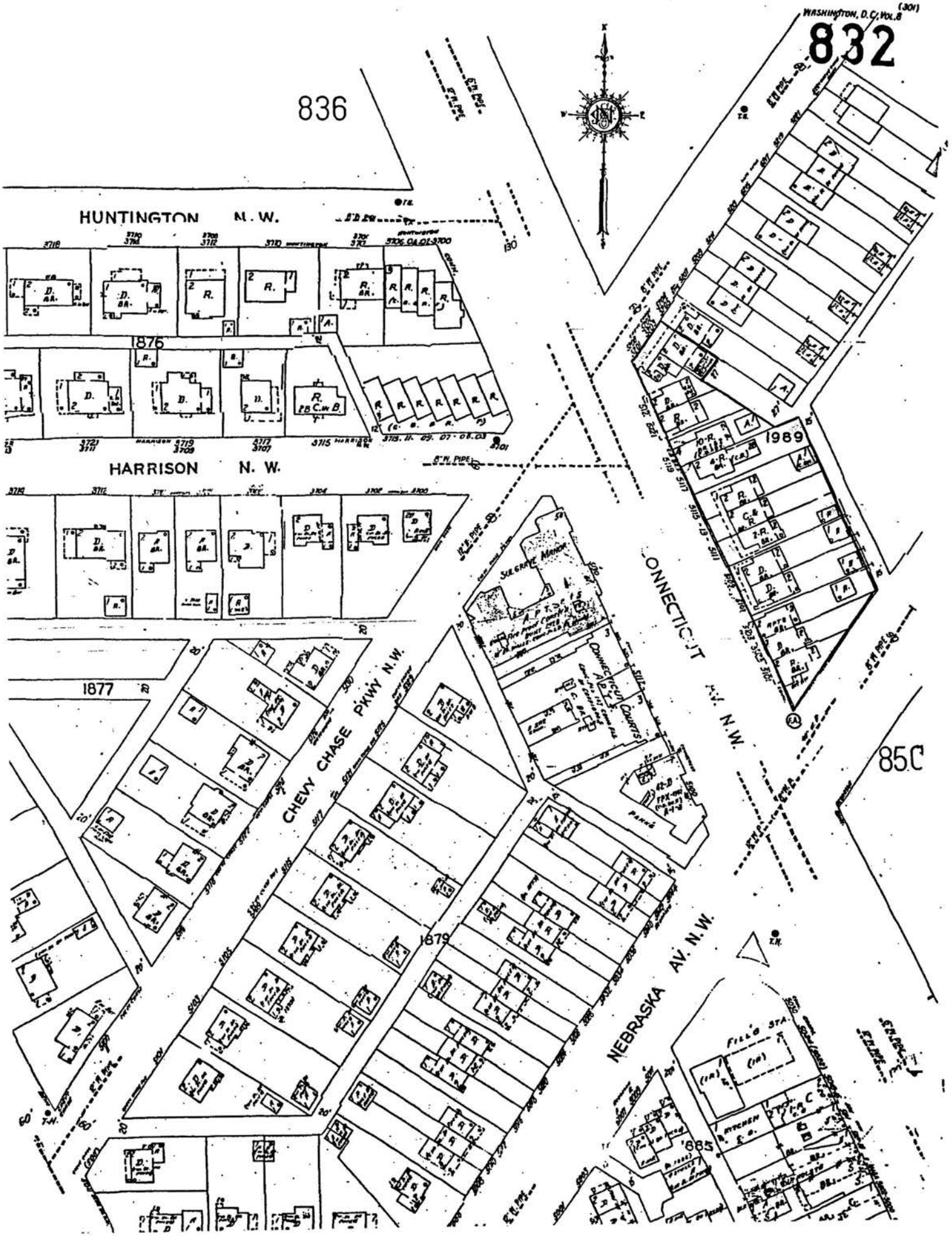
- A. R-5-D District
  1. Use (Matter-of Right Apartment Building versus Special Exception CBRF)
  2. Height, FAR, Yard, Court, Lot Occupancy, Parking & Loading, Front Circular Driveway, etc.

IV. Other Issues

Attachments (Plats, Photos of Site, Zoning Map)


R-1-B
R-1-A
R-5-D
R-3
R-2
R-4
C-1
NEBRASKA AVE.
NEVADA AVENUE
CONNECTICUT
LINNEAN AVE.
BROAD BRANCH RD.
FORT DRIVE SEC. "C"
FORT DRIVE SEC. "G"
ALICE DEAL JR. HIGH SCHOOL
FORT RENO RECREATION CENTER
RESERVOIR
WOODROW WILSON HIGH SCH
30TH ST.
31ST ST.
JENIFER ST.
DAVENPORT
CHESAPEAKE
APPLETON
HARRISON ST.
FESSENDEN ST.
LIVINGSTON ST.
NORTHAMPTON
JOCELYN
EMERSON
EVERETT
ELLICOTT
CUMBERLAND
MACOMB ST.
LINNEAN PLGD


SQ 1874
PKWY.
876
TINGTON
REET.
CONN
130.
Chase STREET
SQ 1876
HARRISON Street.
97th Chevy
Q 1877
AVENUE.
SQ 1879.
130.
NEBRASKA
Parcel 46/129
90.


WASHINGTON, D.C. VOL. 8 (301)
832
836
HUNTINGTON N. W.
HARRISON N. W.
1876
1877
1879
1989
CHEVY CHASE PKWY N.W.
CONNECTICUT AV. N.W.
NEBRASKA AV. N.W.
CONNECTICUT COURTS
SILVER GATE MANOR
FILLS STA.
85C

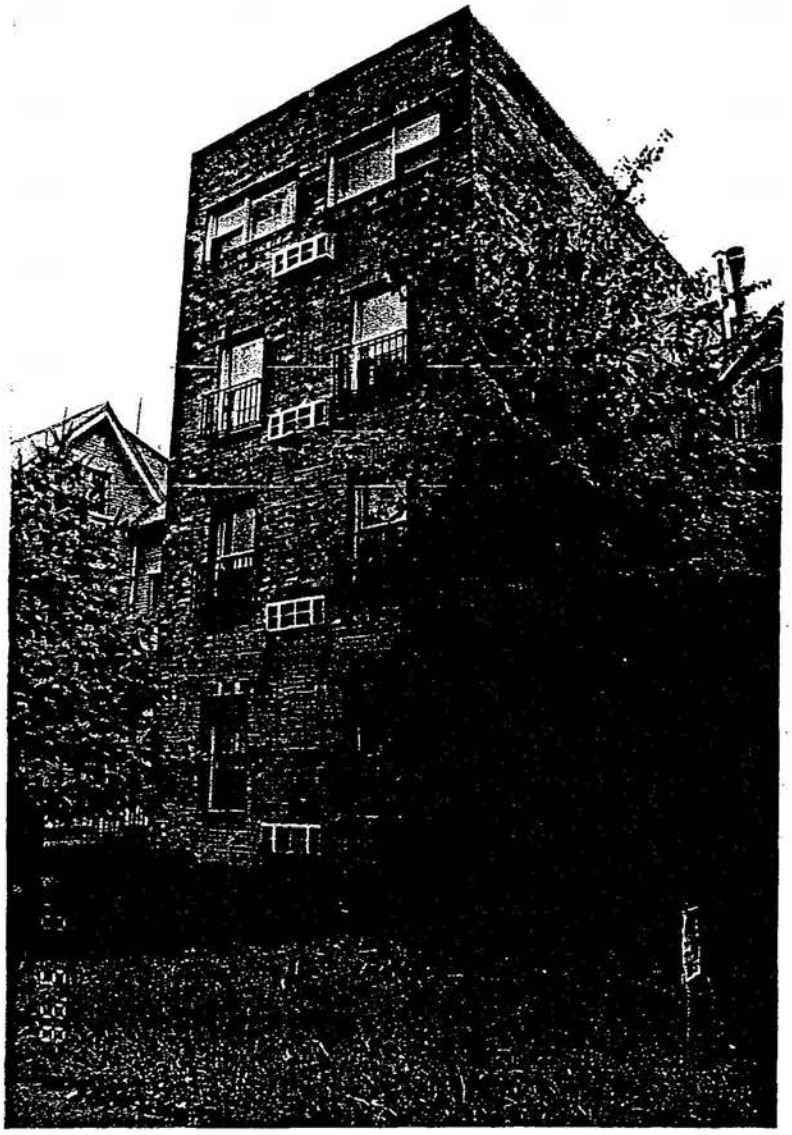

CONNECTICUT AVE
CHEVY CHASE
BROADBIRCH
LOCUST
EVERETT
LILICOTT
ST PAUL LUTH CH
REGENCY 28897 APTS
7500 MANOR
7500 CONNECTICUT APTS
PARK
RENO SCHOOL
1879
1877
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1875
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1983
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1982
1981
1987
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1990
815



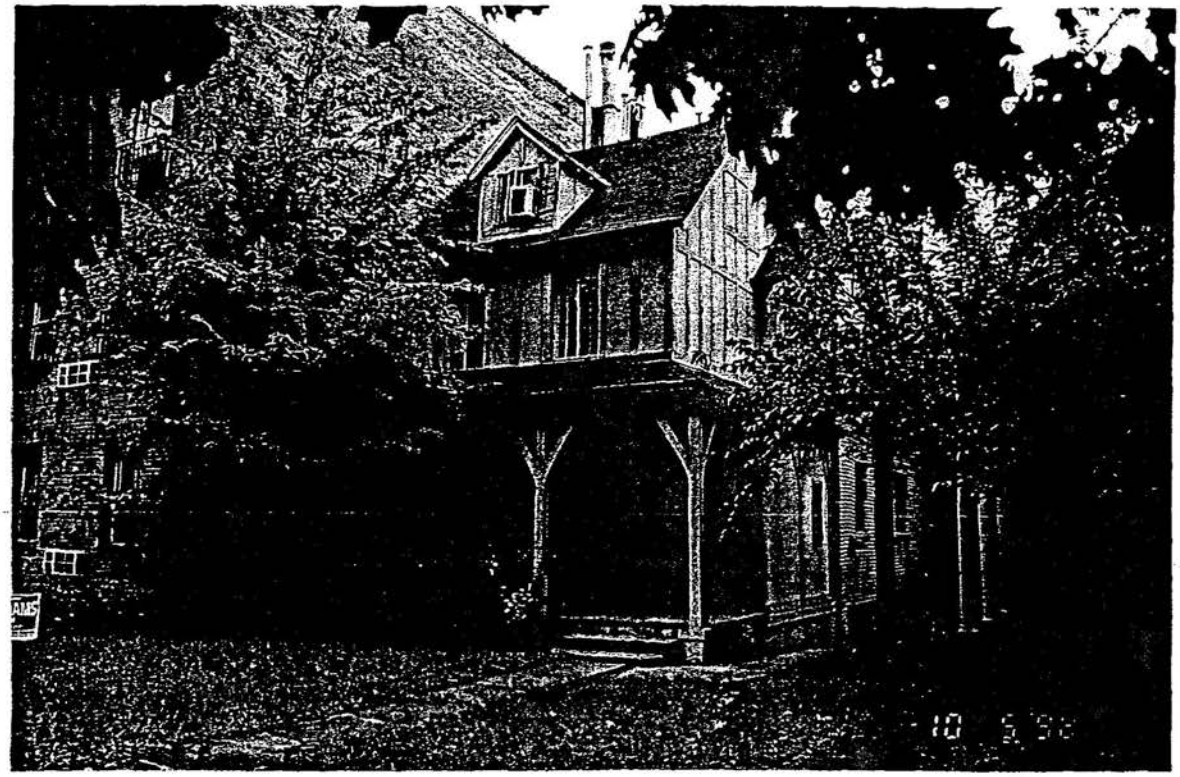
5201 Chevy Chase Parkway, N.W.
(Lot 56)



5123 and 5121 Connecticut Avenue, N.W.
(Lots 55 and 54, respectively)



5119 Connecticut Avenue, N.W.
(Lot 53)



5117 Connecticut Avenue, N.W.
(Lot 52)



5115, 5113 and 5111 Connecticut Avenue, N.W.
(Lots 51, 50 and 49, respectively)



WILKES, ARTIS, HEDRICK & LANE
CHARTERED
ATTORNEYS AT LAW
SUITE 1100
1666 K STREET, N. W.
WASHINGTON, D. C. 20006-2897
(202) 457-7800

CABLE ADDRESS: WILAN
FAX: 202-457-7814

MAUREEN E. DWYER
202-457-7860

ANNAPOLIS, MARYLAND
BETHESDA, MARYLAND
FAIRFAX, VIRGINIA
GREENBELT, MARYLAND
WALDORF, MARYLAND

March 8, 1998

BY HAND

Ms. Gladys Hicks
Deputy Zoning Administrator
614 H Street, N.W.
Room 333
Washington, D.C. 20001

Re: Proposed Assisted Living Facility at Connecticut and Nebraska Avenues
Lots 49-57 and 161 in Square 1989

Dear Ms. Hicks:

The purpose of this letter is to request a confirmation of the calculation of parking and loading requirements for a proposed assisted living facility located on Connecticut Avenue, N.W. at the above referenced property.

The site consists of Lots 49-57 and Lot 161 in Square 1989 (see attached plat) and is currently improved with a mix of residential buildings. With the exception of Lot 161 which is zoned R-2, the property is zoned R-5-D. The plan is to raze the existing buildings and to construct a new assisted living facility consisting of approximately 100 units or 120 residents. By letter dated December 15, 1998, a copy of which is attached, you confirmed that once the Zoning Commission took final action on proposed text amendments to Subsection 330.5(i), the proposed assisted living facility would qualify as a facility operated as housing for the handicapped and would be permitted as a matter of right, provided all other requirements of the Zoning Regulations were met.

The question we discussed was how to calculate the parking and loading requirements for this use. Under Section 2101.1, the regulations provide that for "publicly assisted housing, reserved for the elderly and/or handicapped: all districts" the parking requirement is one for each six dwelling units. Since the proposed facility will be housing reserved for the elderly and handicapped, the parking requirement should be one for each six dwelling units which would result in a requirement of 17 parking spaces if 100 units are provided.

For purposes of the loading requirements, there is no separate classification for elderly or handicapped housing. Accordingly, the loading requirement should be based on the provision that provides that for "any other use in all districts: with 30,000 to 100,000 feet of gross floor area"

For purposes of the loading requirements, there is no separate classification for elderly or handicapped housing. Accordingly, the loading requirement should be based on the provision that provides that for "any other use in all districts: with 30,000 to 100,000 feet of gross floor area" the loading requirement is one loading berth at 30 feet deep, one loading platform at 100 feet, and one service/delivery loading space at 20 feet deep.

When we met with you on March 8, 1999, we discussed in detail the proposed use and the existing parking and loading requirements. You confirmed that one parking space for every six units is the parking requirement and that the proposed use would also need to provide one 30-foot loading berth, one 100-foot loading platform and one 20-foot service/delivery space.

If the above conforms with your understanding of the facts, please indicate your agreement by signing in the space provided below.

Thank you for your attention to this matter.

Sincerely yours,

Maureen Dwyer

Maureen Ellen Dwyer

Richard S. Nero, Jr.
Urban Planner

MED/RSN:lm/133034

APPROVED:

Gladys Hicks

Gladys Hicks
Deputy Zoning Administrator
Date: 3/8/99

SUNRISE DEVELOPMENT
Connecticut and Nebraska Avenues

March 2, 1999
1:00 p.m.

AGENDA

I. BACKGROUND

A. Status of Zoning Commission action
B. Previous Zoning Administrator letter
C. Properties under contract (Lots 49 - 56, 161)

III. REVIEW SITE ISSUES

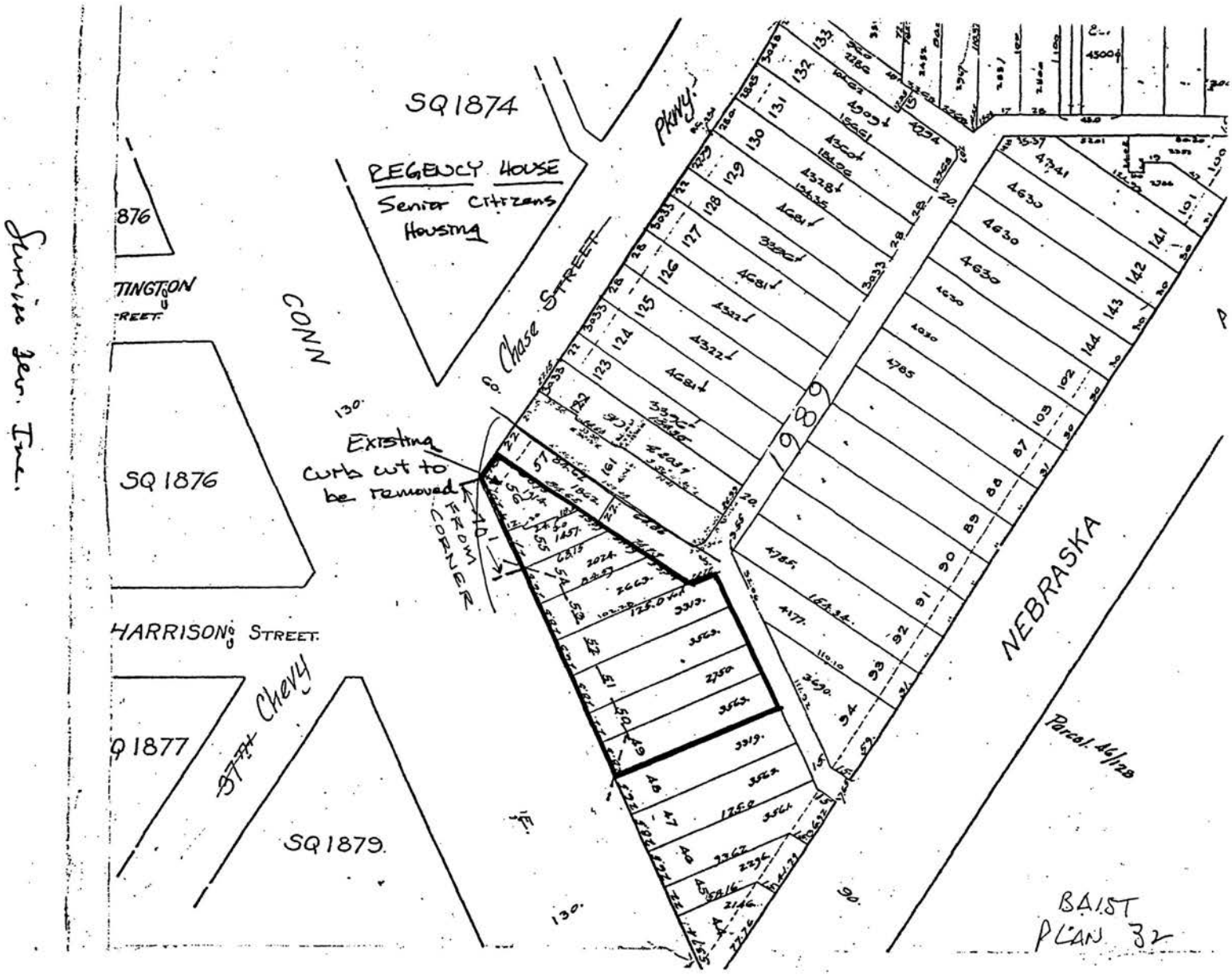
A. Lots 49 - 56 zoned R-5-D; Lot 161 zoned R-2
B. Limitations on use of Lot 161 (drive through? access? parking? open space?)
C. Zoning requirements for loading and parking:

Section 2101.1 for parking - 1 for each 6 dwelling units.

Section 2201.1 for loading - any other use in all districts:

With 30,000 - 100,000 square feet	1 at 30 feet deep
	1 at 100 square feet
	1 at 20 feet deep

#131331


SQ1874
REGENCY HOUSE
Senior Citizens Housing
Pkwy.
Chase STREET
CONN
130.
Existing curb cut to be removed
FROM CORNER
SQ 1876
HARRISON STREET.
SQ1877
SQ1879.
NEBRASKA
Parcel 46/128
BAIST PLAN 32
Sunrise Ter. Inc.

D.C.-44
APRIL 1980

Vested Rights
Large Tract Review
Vesting

Memorandum • Government of the District of Columbia

TO: Donald G. Murray, Acting Director
Department of Consumer and
Regulatory Affairs

Department,
Agency, Office:

FROM: Fred L. Greene
Director

Date: FEB 18 1987

SUBJECT: Release of Permits for 4620 Wisconsin Avenue N.W.

This memorandum is intended to remove any encumbrances to the granting of a building permit for 4620 Wisconsin Avenue N.W. The attached legal memorandum indicates that the proposed building on this site is not subject to the Large Tract Review procedures nor the Vesting Rights provisions.

If you have any questions, please call me at 727-6492.

Attachments



GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Roland Dreist, Surveyor
Office of the Surveyor
Department of Public Works

FROM: Andrew Altman
Director

DATE: January 5, 2000

SUBJECT: Comment on S.O. 99-69, Proposed Closing of a Public Alley in Square 1989

The Office of Planning (OP) has completed its review of the proposed closing of a portion of the public alley in Square 1989, as requested in your December 23, 1999 transmittal.

BACKGROUND

The applicant, Sunrise Connecticut Avenue Assisted Living, L.L.C., requests the closing of the 22-foot wide stub of the alley system located in the southwestern portion of Square 1989 in order to construct a Sunrise Assisted Living Facility. Square 1989 is located in the northwest quadrant of the District and is bounded by Ingomar Place on the north, Nebraska Avenue on the east, Connecticut Avenue on the south and Chevy Chase Parkway on the west. The proposed alley-to-be-closed abuts Lots 52-57 and 161. The applicant is the contract purchaser of all of the lots adjacent to the proposed alley closing. The facility will have a gross floor area of approximately 110,000 square feet. Additionally, it will include a multi-level parking garage with approximately 34 spaces. Access to the below grade parking spaces will be from the proposed close stub.

The Comprehensive Plan Generalized Land Use Map designates the area of the proposed alley closing for medium density residential land uses. This area is zone R-5-D. The area immediately surrounding the alley closing contains single family residences, semi-detached residences and apartment buildings which also fall within the low, moderate and

medium density residential land use categories. The surrounding area is zoned R-1-B, R-2, R-3 and R-5-D.

CONCLUSION

The proposed alley closing is necessary in order to construct the loading area of the assisted living facility. Sunrise Connecticut Avenue Assisted Living, L.L.C has a contract to purchase all of the lots abutting the proposed alley closing. Consequently, OP has no objection to the alley closing application, so long as the applicant is able to acquire these lots.

AA/rd



Chronology of Meetings Between Sunrise and the Community

2000

2/14/00	Sunrise makes presentation at Advisory Neighborhood Commission 3G to discuss the proposed alley closing application
2/25/00	Sunrise meets with Allen Beach, a Commissioner of ANC 3G
3/4/00	Sunrise meets with ANC 3G Commissioners and community members and volunteered to negotiate a construction agreement with community
3/9-22/00	Sunrise stays in contact with ANC Commissioner Marilyn Holmes and community members
3/22/00	Sunrise submits draft Construction Agreement to Commissioner Holmes and a representative of the Regency House
3/30/00	Sunrise submits a letter to Commissioner Holmes addressing information she requested.
4/10/00	Sunrise makes presentation at ANC 3G's public meeting
4/13/00	Sunrise provides additional information to ANC Commissioners and certain members of the community
4/20/00	Sunrise provides additional information to ANC Commissioners
4/22/00	Sunrise provides additional information to ANC Commissioners and certain members of the community

In response to community opposition to the alley closing application, Sunrise decides to abandon alley closing application and pursue a matter-of-right building



Paul A. Tummonds, Jr.
202.457.7854
ptummonds@wilkesartis.com

Wilkes Artis

Chartered
Attorneys at Law

Suite 300, 1666 K Street, NW
Washington, DC 20006-2803
202.457.7800
Fax: 202.457.7814

May 16, 2000

VIA HAND DELIVERY

Mr. Michael Johnson
Zoning Administrator
Building and Land Regulation Administration
Department of Consumer and Regulatory Affairs
941 N. Capitol Street, N.E.
Washington, D.C. 20002

Re: Proposed Sunrise Assisted Living Facility at 5111 - 5123 Connecticut Avenue, N.W., Square 1989, Lots 49-57 and 161, (the "Subject Property")

Dear Mr. Johnson:

The purpose of this letter is to confirm the matters discussed in our meeting on May 2, 2000 regarding the Subject Property. The Subject Property is split-zoned R-5-D and R-2. Sunrise Development, Inc. ("Sunrise") intends to construct an assisted living facility only on the portion of the Subject Property that is located in the R-5-D District.

In order to proceed with the production of the building permit application drawings, you confirmed the following information:

1) the maximum building height is 90 feet which is measured from the level of the curb opposite the mid-point of the building frontage along Connecticut Avenue, N.W. to the highest point of the roof (including the parapet wall);
2) the rear yard setback requirement is 34 feet based on the 102 foot height of the building measured from the finish grade at the rear of the building to the highest point of the roof or parapet and the required 4 inches of setback for each foot of vertical distance;
3) the side yard requirement on the southern portion of the Subject Property will be 22 feet 6 inches based on the 90 foot height of the building and the requirement to provide 3 inches of setback for each foot of height;

RECEIVED 6/6/00 — Duplicate sent (Requires MDJ Concurring Signature)

4) no setback is required or provided on the R-5-D portion of the Subject Property along Chevy Chase Parkway; and
5) the R-2 portion of the Subject Property is an open court that has a width requirement of 22 feet 6 inches based on the requirement to provide 3 inches of court width per foot of building height.

The dimensions and locations of those open spaces are shown on the attached drawing prepared by Beery, Rio and Associates dated May 11, 2000.

Pursuant to the issues discussed in the May 2, 2000 meeting and outlined in this letter, please sign this letter in the space provided below to indicate your concurrence with the above.

If you have any questions or comments regarding this letter, please feel free to call us at (202) 457-7800.

Sincerely,

Paul A. Tummonds, Jr.

Steven E. Sher

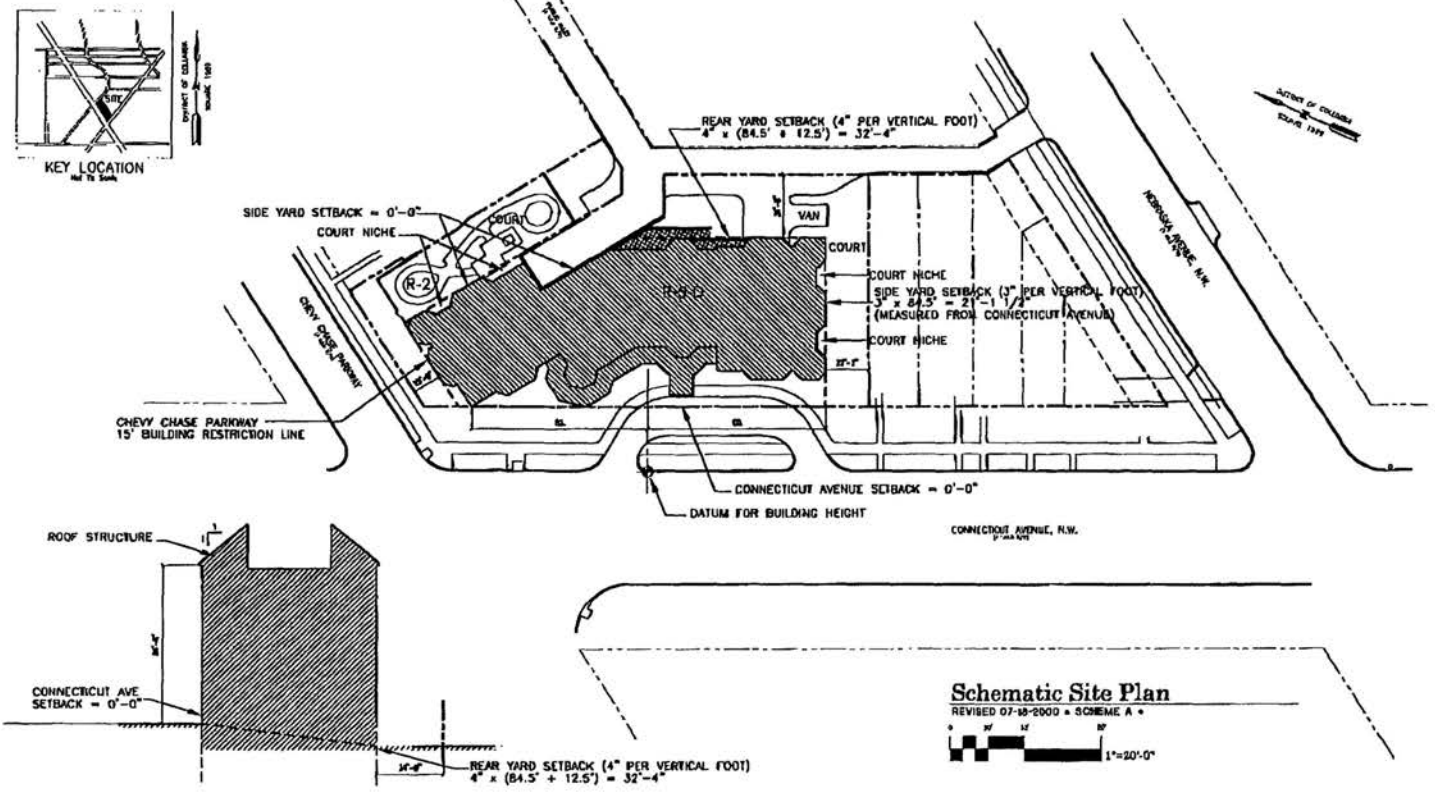
CONCUR

Date: July 5, 2000

Michael D. Johnson
Zoning Administrator
Building and Land Regulation Administration
Department of Consumer and Regulatory Affairs

Enclosure

cc: Sean Ambrose
Maureen Dwyer



SUNRISE

of Connecticut Avenue, Washington, DC

BEERY, RIO ANO ASSOCIATES ARCHITECTS

F

PRE-FILE NUMBERS	ZONING DISTRICT	FILE NUMBER	PERMIT NUMBER

★ ★ ★ GOVERNMENT OF THE DISTRICT OF COLUMBIA

BLRA-33 (Rev. 10/91)

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION; PERMIT PROCESSING DIVISION (727-7...

APPLICATION FOR CONSTRUCTION PERMITS ON PRIVATE PROPERTY

(PRINT IN INK OR TYPE; DO NOT WRITE IN SHADED AREAS OR ON PAGE 4)

ERASING, CROSSING OUT, WHITING OUT, OR OTHERWISE ALTERING ANY ENTERED INFORMATION WILL VOID THIS APPLICATION

(A) ALL APPLICANTS MUST COMPLETE ITEMS 1 THRU 27

1. Address of Proposed Work:	Suite No.:	2. Lot:	3. Square:	4. Application Date:
5111 Connecticut Ave., N.W.		(Site per Sub)	1989	July 10, 2000

5. Owner of Building or Property:	6. Address: *(include Zip)*	7. Phone:
Sunny & Louis Reyes et AL (See Attached Page)	5111 Connecticut Ave. Washington, D.C. 20015	Work: 703-744-1830 Home: 703-627-4985
8. Agent for Owner: *(if applicable)*	**9. Address: *(include Zip)***	**10. Phone:**
Mario Escalante	P.O. Box 501 College Park, MD 20741 - 0501	301-474-5327 Work: Home: 301-382-2427

11. Type of Proposed Work *(check all applicable boxes)*:

- ☒ New Building
- ☐ Addition
- ☐ Alteration and Repair
- ☐ Raze Building
- ☐ Retaining Wall
- ☐ Fence
- ☐ Shed
- ☐ Awning
- ☐ Garage
- ☐ Sign
- ☐ Other *(Specify)* _____

12. Description of Proposed Work:

A seven story cast in place concrete structure containing Assisted Living Residences with underground parking.

D.C. RECEIVED ... OF ZONING 2000 SEP 15 PM 3:5...

13. Existing Use(s) of Building or Property:	14. Ex. No. of Stories of Bldg.:	15. Ex. No. of Dwelling Units:	OFFICE USE ONLY
~~Residential~~ Vacant land			
16. Proposed Use(s) of Building or Property:	**17. Prop. No. of Stories of Bldg.:**	**18. Prop. No. of Dwelling Units:**	
Residential	7 + Pent	102	

19. Starting Date of Work:	20. Completion Date of Work:	21. Method of Removing Construction Debris:	22. Does the proposed work involve disturbing the earth or razing a building?
Oct. 1, 2000	Oct. 1, 2001	☐ Pick-up Truck ☒ Dumpster ☐ Other *(specify)*:	☒ Yes, answer q. 23 ☐ No, SKIP q. 23-27

23. Is the area of disturbed earth more than 50 sq. ft.?	24. Soil Erosion Control Methods:	25. Area of Offsite Drainage:	26. No. of Footings or Columns:	27. Size of Footings of Columns:
☒ Yes, answer q. 24-25 ☐ No, SKIP q. 24-25		0 sq. ft.		22 x 22 sq. ft.

ALWAYS SIGN THE APPLICATION ON PAGE 3 (SECTION I).

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)

wd-375

INITIAL APPLICATION

PRE-FILE NUMBERS		ZONING DISTRICT	FILE NUMBER	PERMIT NUMBER	
P.A.D.C. No.:	O.G. No.:				By:
H.P.A. No.:	S.L. No.:	Ward No.:	Receipt No.:	Date:	Receipt No.:

★ ★ ★ GOVERNMENT OF THE DISTRICT OF COLUMBIA

BLRA-33 (Rev. 10/91)

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION; PERMIT PROCESSING DIVISION (727-7050)

APPLICATION FOR CONSTRUCTION PERMITS ON PRIVATE PROPERTY

(PRINT IN INK OR TYPE; DO NOT WRITE IN SHADED AREAS OR ON PAGE 4)

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 27

1. Address of Proposed Work:	Suite No.:	2. Lot: ~~Site~~ Pers4b	3. Square:	4. Application Date:
5111 Conn Ave. N.W.			1989	July 10, 2000 (updated)

5. Owner of Building or Property: (see attached Pages)	6. Address: (include Zip)	7. Phone: 703
Sunny + Louis Reyes, et al.	5111 Conn Ave. N.W.	Work: 744-1830 Home:

8. Agent for Owner: (if applicable)	9. Address: (include Zip)	10. Phone: 301
Mario Escalante	4920 Niagara Rd 101	Work: Home: 486-0020

11. Type of Proposed Work *(check all applicable boxes):*

- ☒ New Building
- ☐ Addition
- ☐ Alteration and Repair
- ☐ Raze Building
- ☐ Retaining Wall
- ☐ Fence
- ☐ Shed
- ☐ Awning
- ☐ Garage
- ☐ Sign
- ☐ Other *(Specify)* _____

12. Description of Proposed Work:

Seven story cast in place concrete structure containing Assisted Living Residences (~~CRF~~, housing for the handicapped as the term is defined by the Fair Housing Act) with underground parking.

13. Existing Use(s) of Building or Property:	14. Ex. No. of Stories of Bldg.:	15. Ex. No. of Dwelling Units:	Official Use Only Miscellaneous FEE $
Residential, Partially vacant Facilities			By: Date:
16. Proposed Use(s) of Building or Property:	**17. Prop. No. of Stories of Bldg.:**	**18. Prop. No. of Dwelling Units:**	
CRF (housing for the handicapped as the term is defined by the Fair Housing Act)	7 + Pent	102	

19. Starting Date of Work:	20. Completion Date of Work:	21. Method of Removing Construction Debris:	22. Does the proposed work involve **disturbing the earth** or razing a building?
ASAP	Feb 15, 2002	☐ Pick-up Truck ☐ Dumpster ☐ Other *(specify):*	☒ Yes, answer **q. 23** ☐ No, SKIP **q. 23-27**

23. Is the area of disturbed earth more than 50 sq. ft.?	24. Soil Erosion Control Methods:	25. Area of Offsite Drainage:	26. No. of Footings or Columns:	27. Size of Footings of Columns:
☒ Yes, answer **q. 24-25** ☐ No, SKIP **q. 24-25**		0 sq. ft.		22X22 sq. ft.

ALWAYS SIGN THE APPLICATION ON PAGE 3 (SECTION I).

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					☐ Nd ☐ Sm ☐ Lg

2-0307 wd-375

UPDATED APPLICATION

(B) NEW BUILDING, ADDITION, & ALTERATION (COMPLETE ITEMS 28 THRU 60)

28. Architect's Name:	29. Lic. No.:	30. Architect's Address: *(include Zip)*	31. Phone:
A412	4553		703 249-7660
32. Engineer's Name:	33. Lic. No.:	34. Engineer's Address: *(include Zip)*	35. Phone:
HURST	3456		703 534-7812
36. Building Contractor's Name:	36A. Lic. No.:	37. Contractor's Address:	38. Phone:
TBD			

39. Type of Construction
- ☐ Masonry ☒ Steel
- ☐ Wood ☐ Other:
- ☒ Concrete

40. Fire Suppression:
- ☒ Fully Sprinklered ☐ Standpipe System
- ☐ Partially Sprinklered ☐ None
- ☐ Other: _____

41. Booster Pump:
- ☒ New
- ☐ Existing
- ☐ None

42. Total Lot Area: _____ sq. ft.

43. Breakdown of Lot Area (= 100%):
- a. Building: 57 %
- b. Paved Area: _____ %
- c. Greenery: _____ %

44. Present Gross Floor Area of Bldg.:	45. Proposed Gross Floor Area of Bldg:	46. Floors involved in this permit:	47. **Projection beyond building line?**
sq. ft.	80,800 sq. ft.	☒ All ☐ Floors _____	☐ Yes, answer **q. 48-52** ☒ No, SKIP **q. 48-52**

48. Number and type of **projection:**	49. Distance of **projection:**	50. Width of **projection:**	51. Width of building frontage: ft. 52. Signature of Owner **(projection only):**

53. Water or Sewer Excavation?	54. Driveway Construction?	55. Sheeting/Shoring Necessary?	56. Elevators involved?	57. No. and type of elev.:	58. Plans Certified by Engineer?
☒ Yes ☐ No	☒ Yes ☐ No	☒ Yes ☐ No	☒ Yes, answer **q. 57** ☐ No, SKIP **q. 57**	GEARED 2(3500 lb)	☒ Yes, cert. is attached ☐ No

59. Estimated Cost of Work:
(a) New/Add.: $ 10 mil
(b) Alt/Rep.: $ _____
Total: $ 10 mil

60. Volume of New Bldg. or Addition: 1,048,615 cubic ft.

OFFICIAL USE ONLY

Alter/Repair FEE	New Const. FEE	Filing Fee	TOTAL PERMIT FEE
$	$	$	$
By: Date:	By: Date:	By: Date:	By: Date:

(C) RAZING A BUILDING (COMPLETE ITEMS 61 THRU 83)

61. Raze Contractor's Name:	62. Contractor's Address: *(include Zip)*	63. Phone:

64. Insurance Company:	65. Policy or Certif. No.:	66. Expir. Date:	67. Raze Method:

68. Building Material:	69. Raze Entire Building?	70. Building Condemned?	70A. Building Vacant?	71. Public Space Vault?	72. Disconnect Water and/or Sewer?	73. Size of Water Connection:
	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	in.

74. Plumber's Name:	75. Lic. No.	76. Length:	77. Width:	78. Height:	79. Volume:	80. Party Wall?
		ft.	ft.	ft.	cu. ft.	☐ Yes ☐ No

81. Asbestos in the Building?
☐ No ☐ Yes, Location _____

82. Raze Contractor Signature:

83. Owner's Signature:

OFFICIAL USE ONLY

FEE	By:	Date:
$		

(D) RETAINING WALL (COMPLETE ITEMS 84 THRU 93)

The retaining wall will not obstruct any accessible parking required by D.C. Zoning Regulations

84. Cost of Work:	85. Material:	86. Height:	87. Color:	88. Location:
$		ft.		☐ Entirely on Owner's Land ☐ Party Line with Adjacent Neighboring Land*

* If party wall, the owner of the adjoining property must agree to the erection of the retaining wall and this application.

89. Signature of Adjoining Owner:	90. Phone: Work Home	
91. Address of Adjoining Owner:	92. Lot:	93. Square:

OFFICIAL USE ONLY

FEE	By:	Date:
$		

(E) FENCE (COMPLETE ITEMS 94 THRU 102)

The fence will not obstruct any accessible parking required by D.C. Zoning Regulations

94. Material and type:	95. Height: ft.	96. Color:	97. Location: ☐ Entirely on Owner's Land ☐ Party Line with Adjacent Neighboring Land *

* If party fence, the owner of the adjoining property must agree to the erection of the fence and this application.

98. Signature of Adjoining Owner:	99. Phone: Work Home	
100. Address of Adjoining Owner:	101. Lot:	102. Square:

OFFICIAL USE ONLY		
FEE $	By:	Date:

(F) SHED OR GARAGE (COMPLETE ITEMS 103 THRU 113)

103. Number:	104. Length: ft.	105. Width: ft.	106. Area: sq. ft.	107. Height: ft.	108. Volume: cu. ft.	109. Estimated Cost of Work: $

110. Material of Roof:	111. Material of Sides:	112. Wall thickness:: ☐ External ( ) inches ☐ Party ( ) inches	113. Color:

OFFICIAL USE ONLY	
FEE $	
By:	Date:

(G) AWNING (COMPLETE ITEMS 114 THRU 123)

114. Number:	115. Color:	116. Type: ☐ Folding ☐ Fixed	117. Projections: Beyond bldg. line _____ in. Beyond pt. of attachm. _____ in.	118. Height of lowest part of awning: (a) _____ ft above sidewalk (b) _____ ft above parking (c) _____ ft above grade

119. Material of Frame:	120. Material of Covering:	121. Lettering on Awning? ☐ Yes ☐ No	122. Fixed posts? ☐ Yes ☐ No	123. Over sidewalk cafe? ☐ Yes ☐ No

OFFICIAL USE ONLY	
FEE $	
By:	Date:

(H) SIGN (COMPLETE ITEMS 124 THRU 144)

124. Number:	125. Electric Signs? ☐ Yes, answer q. 126-132 ☐ No, SKIP q. 126-132	126. Type: ☐ Incandes. ☐ Fluoresc. ☐ Neon	127. Power _____ VA	128. Electrical Contractor: Lic. No.:

129. Address of Electrical Contractor *(include Zip)*	130. Signature of Licensed Electrician:	131. Phone:	132. License No.:

133. Height relative to building and ground: (a) _____ ft _____ in above sidewalk (b) _____ ft _____ in above roof (c) _____ ft _____ in is bldg height (d) _____ ft _____ in above projection or window (e) _____ ft _____ in from roof to sign's bottom	134. Material of Sign:	135. Type of Sign:	136. Color:

137. Width: ft.	138. Length: ft.	139. Area of Sign: sq. ft.	140. Width of Business Frontage: ft.

141. C of O Number for Building:	142. Sign Contractor Lic. No.:
143. Sign Contractor's Address:	144. Phone:

OFFICIAL USE ONLY					
Sign FEE $		Elect. FEE $		Total FEE $	
By:	Date:	By:	Date:	BY:	Date:

(I) APPLICANT'S SIGNATURE:

A. **OWNER:** I hereby certify that I am the owner of the property; that the application and plans are complete and correct to the best of my knowledge; and that *if a permit (or permits) is issued, the construction will conform to the D.C. Construction Codes,* the Zoning Regulations, and other applicable laws and regulations of the District of Columbia.

Signature of Owner:_____ Address:_____ Date:_____

B. **AGENT:** I hereby certify that I have the authority of the owner to make this application. I declare that the application and plans are complete and correct to the best of my knowledge. The owner has assured me that if a permit (or permits) is issued, the construction will conform to the D.C. Construction Codes, the Zoning Regulations, and other applicable laws and regulations of the District of Columbia.

Signature of Agent: Mario Escalante Address: 4420 NIAGARA RD Date:_____

(J) APPROVALS (DO NOT WRITE ON THIS PAGE; OFFICIAL USE ONLY):

A. PERMIT CONTROL

- ☐ 1. Fine Arts by: _____ Date: _____
- ☐ 2. Historic by: _____ Date: _____
- ☐ 3. PADC by: _____ Date: _____
- ☐ 4. Cap. Gateway by: _____ Date: _____
- ☐ 5. W.H./ Obs. Precinct by: _____ Date: _____
- ☐ 6. Flood Control by: _____ Date: _____
- ☐ 7. WMATA by: _____ Date: _____
- ☐ 8. Condem. by: _____ Date: _____
- ☐ 9. RLA by: _____ Date: _____
- ☐ 10. Rental Accom. by: _____ Date: _____
- ☐ 11. Chinatown Distr. by: _____ Date: _____
- ☐ 12. Utility Clearance by: _____ Date: _____
- ☐ 13. General Liability Ins. Policy Clearance by: _____ Date: _____

B. CLEARANCE TO FILE PLANS

- ☐ 1. Zoning by: _____ Date: _____
- ☐ 2. DPW — Permit and Records Division
  Access to Parking Street ☐ Street ☐ Alley
  Cleared by: _____ Date: _____
- ☐ 3. DPW - Consumer Engineer
  Cleared by: _____ Date: _____
- ☐ 4. ERA - Erosion Control
  Cleared by: _____ Date: _____

Restrictions of the Permit:

C. PLANS AND APPLICATION APPROVAL

- ☐ 1. Information Counter by: _____ Date: _____
- ☐ 2. Information Center by: _____ Date: _____
  - ☐ (a) ABC Board by: _____ Date: _____
  - ☐ (b) Noise Control by: _____ Date: _____
  - ☐ (c) Industrial Safety by: _____ Date: _____
  - ☐ (d) Vector Control by: _____ Date: _____
  - ☐ (e) D.C. Animal by: _____ Date: _____
  - ☐ (f) Police Dept. by: _____ Date: _____
- ☐ 3. Zoning by: _____ Date: _____
  Zoning Update by: _____ Date: _____
- ☐ 4. DPW - Permit and Records Division/Deposit #
  Sidewalk Deposit $_____ Driveway Deposit $_____
  by: _____ Date: _____
- ☐ 5. Water/Sewer Design Branch
  Consumer Eng. by: _____ Date: _____
- ☐ 6. Environmental Regulation Administration
  - ☐ Environmental Policy Review
    Control No.: _____
    by: _____ Date: _____
  - ☐ Erosion Control by: _____ Date: _____
  - ☐ Storm Water Mgmt. by: _____ Date: _____
  Plan No. _____
- ☐ 7. Mechanical Eng. Review by: _____ Date: _____
- ☐ 8. Plumbing Eng. Review by: _____ Date: _____
- ☐ 9. Electrical Eng. Review by: _____ Date: _____
- ☐ 10. Health Plan Review
  - ☐ (a) Food Plan Review by: _____ Date: _____
  - ☐ (b) Medical X-ray Plan Rev.
    by: _____ Date: _____
- ☐ 11. D.C. Fire Dept. (Fire Prevention Plan Review Section)
  by: _____ Date: _____
- ☐ 12. Elevator Plan Rev. Sec. by: _____ Date: _____
- ☐ 13. Plumbing Insp. Rev. by: _____ Date: _____
- ☐ 14. Construction Insp. Branch (Field Check)
  by: _____ Date: _____
- ☐ 15. Historic Pres. Div. by: _____ Date: _____
- ☐ 16. Structural Eng. by: _____ Date: _____
- ☐ 17. Permit and Certificate Issuance Counter
  By: _____ Date: _____
- ☐ 18. Q.C. By: _____ Date: _____

TO REPORT WASTE, FRAUD, OR ABUSE BY ANY D.C. GOVERNMENT OFFICE OR OFFICIAL, CALL THE D.C. INSPECTOR GENERAL AT 1-800-521-1639

ZONING

C of O Number _____ Date _____
Existing Use(s) _____

☐ New bldg.
☐ P.O.D.
☐ File in room 329

Job No.:	BZA Case No.:	PUD Order No.:

DPW — PUBLIC SPACE

Street Name: _____
Street Width: _____
Road Width: _____
Sidewalk Width: _____
Parking: _____
Restrictions: _____

PRE-FILE NUMBERS		ZONING DISTRICT	FILE NUMBER	PERMIT NUMBER	
P.A.D.C. No.:	O.G. No.:				By:
H.P.A. No.:	S.L. No.:	Ward No.:	Receipt No.:	Date:	Receipt No.:

★ ★ ★ GOVERNMENT OF THE DISTRICT OF COLUMBIA

BLRA-33 (Rev. 10/91)

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION; PERMIT PROCESSING DIVISION (727-7050)

APPLICATION FOR CONSTRUCTION PERMITS ON PRIVATE PROPERTY

(PRINT IN INK OR TYPE. DO NOT WRITE IN SHADED AREAS OR ON PAGE 4)

Rev 590AA

ERASING, CROSSING OUT, WHITING OUT, OR OTHERWISE ALTERING ANY ENTERED INFORMATION WILL VOID THIS APPLICATION

CLEARANCE TO FILE
By: _____ Date _____

(A) ALL APPLICANTS MUST COMPLETE ITEMS 1 THRU 27

1. Address of Proposed Work:	Suite No.:	2. Lot: ~~Site~~	3. Square:	4. Application Date:
5111 Conn Ave. N.W.		Pers4b	1989	July 10, 2000

5. Owner of Building or Property: (see attached Pages)	6. Address: (include Zip)	7. Phone:
Sunny + Louis Reyes, et al.	5111 Conn Ave. N.W.	Work: 703 744-1830 (Updated) Home:

8. Agent for Owner: (if applicable)	9. Address: (include Zip)	10. Phone:
Mario Escalante	4920 Niagara Rd 101	Work: 301 Home: 2860020

11. Type of Proposed Work *(check all applicable boxes):*

- ☒ New Building
- ☐ Addition
- ☐ Alteration and Repair
- ☐ Raze Building
- ☐ Retaining Wall
- ☐ Fence
- ☐ Shed
- ☐ Awning
- ☐ Garage
- ☐ Sign
- ☐ Other *(Specify)* _____

RECEIVED DCRA OFFICE OF BUILDING 2000 MAR 16 PM 4:

12. Description of Proposed Work:

5 story cast in place concrete structure containing Assisted Living Residences (CRF, housing for the handicapped as the term is defined by the Fair Housing Act) with underground parking.

13. Existing Use(s) of Building or Property:	14. Ex. No. of Stories of Bldg.:	15. Ex. No. of Dwelling Units:	Official Use Only Miscellaneous FEE $
Residential, Partially vacant Facilities			By: Date:

16. Proposed Use(s) of Building or Property:	17. Prop. No. of Stories of Bldg.:	18. Prop. No. of Dwelling Units:
CRF (housing for the handicapped as one term is defined by the Fair Housing Act)	7 + Pent	102

19. Starting Date of Work:	20. Completion Date of Work:	21. Method of Removing Construction Debris:	22. Does the proposed work involve disturbing the earth or razing a building?
ASAP	Feb 15, 2002	☐ Pick-up Truck ☐ Dumpster ☐ Other *(specify):*	☒ Yes, answer q. 23 ☐ No, SKIP q. 23-27

23. Is the area of disturbed earth more than 50 sq. ft.?	24. Soil Erosion Control Methods:	25. Area of Offsite Drainage:	26. No. of Footings or Columns:	27. Size of Footings of Columns:
☒ Yes, answer q. 24-25 ☐ No, SKIP q. 24-25		0 sq. ft.		22X22 sq. ft.

ALWAYS SIGN THE APPLICATION ON PAGE 3 (SECTION I).

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)

BZA Case No. 16716
Exhibit No. 4

2-0307 wd-375

OFFICIAL USE ONLY					
	R	P	H	A	
M					
P					
E					W ☐ Yes ☐ No
F					PLANS
S					☐ No ☐ Sm. ☐ Lg.

(B) NEW BUILDING, ADDITION, & ALTERATION (COMPLETE ITEMS 28 THRU 60)

28. Architect's Name:	29. Lic. No.:	30. Architect's Addr (include Zip)	31. Phone:
19412	4553		703 249-7660
32. Engineer's Name:	**33. Lic. No.:**	**34. Engineer's Address: (include Zip)**	**35. Phone:**
HURST	3454		703 534-7812
36. Building Contractor's Name:	**36A. Lic. No.:**	**37. Contractor's Address:**	**38. Phone:**
TBD			

39. Type of Construction	40. Fire Suppression:	41. Booster Pump:	42. Total Lot Area:	43. Breakdown of Lot Area (= 100%):
☐ Masonry ☒ Steel ☐ Wood ☐ Other: ☒ Concrete	☒ Fully Sprinklered ☐ Standpipe System ☐ Partially Sprinklered ☐ None ☐ Other:	☒ New ☐ Existing ☐ None	sq. ft.	a. Building: 57 % b. Paved Area: % c. Greenery: %

44. Present Gross Floor Area of Bldg.:	45. Proposed Gross Floor Area of Bldg:	46. Floors involved in this permit:	47. Projection beyond building line?
sq. ft.	80,800 sq. ft.	☒ All ☐ Floors	☐ Yes, answer q. 48-52 ☒ No, SKIP q. 48-52

48. Number and type of projection:	49. Distance of projection:	50. Width of projection:	51. Width of building frontage: ft. 52. Signature of Owner (projection only):

53. Water or Sewer Excavation?	54. Driveway Construction?	55. Sheeting/Shoring Necessary?	56. Elevators involved?	57. No. and type of elev.:	58. Plans Certified by Engineer?
☒ Yes ☐ No	☒ Yes ☐ No	☒ Yes ☐ No	☒ Yes, answer q. 57 ☐ No, SKIP q. 57	Geared 2(3500 lb)	☒ Yes, cert. is attached ☐ No

59. Estimated Cost of Work:
(a) New/Add.: $ 10 mil
(b) Alt/Rep.: $
Total: $ 10 mil

60. Volume of New Bldg. or Addition: 1,048,615 cubic ft.

OFFICIAL USE ONLY

Alter/Repair FEE	New Const. FEE	Filing Fee	TOTAL PERMIT FEE
$	$ 20,972.30	$ 2000.00	$ 18,972.30
By: / Date:	By: / Date: 2/8/01	By: / Date:	By: / Date: 3/5/01

(C) RAZING A BUILDING (COMPLETE ITEMS 61 THRU 83)

61. Raze Contractor's Name:	62. Contractor's Address: (include Zip)	63. Phone:

64. Insurance Company:	65. Policy or Certif. No.:	66. Expir. Date:	67. Raze Method:

68. Building Material:	69. Raze Entire Building?	70. Building Condemned?	70A. Building Vacant?	71. Public Space Vault?	72. Disconnect Water and/or Sewer?	73. Size of Water Connection:
	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	in.

74. Plumber's Name:	75. Lic. No.	76. Length: ft.	77. Width: ft.	78. Height: ft.	79. Volume: cu. ft.	80. Party Wall?
						☐ Yes ☐ No

81. Asbestos in the Building?	82. Raze Contractor Signature:	OFFICIAL USE ONLY		
☐ No ☐ Yes, Location		FEE	By:	Date:
	83. Owner's Signature:	$		

(D) RETAINING WALL (COMPLETE ITEMS 84 THRU 93)

The retaining wall will not obstruct any accessible parking required by D.C. Zoning Regulations

84. Cost of Work:	85. Material:	86. Height: ft.	87. Color:	88. Location:
$				☐ Entirely on Owner's Land ☐ Party Line with Adjacent Neighboring Land*

* If party wall, the owner of the adjoining property must agree to the erection of the retaining wall and this application.

89. Signature of Adjoining Owner:	90. Phone: Work / Home	OFFICIAL USE ONLY		
		FEE	By:	Date:
91. Address of Adjoining Owner:	92. Lot: / 93. Square:	$		

(E) FENCE (COMPLETE ITEMS 94 THRU 102) The fence will not obstruct any accessible parking required by D.C. Zoning Regulations

94. Material and type:	95. Height: ft.	96. Color:	97. Location: ☐ Entirely on Owner's Land ☐ Party Line with Adjacent Neighboring Land *

* If party fence, the owner of the adjoining property must agree to the erection of the fence and this application.

98. Signature of Adjoining Owner:	99. Phone: Work Home	OFFICIAL USE ONLY FEE $	By:	Date:
100. Address of Adjoining Owner:	101. Lot:	102. Square:		

(F) SHED OR GARAGE (COMPLETE ITEMS 103 THRU 113)

103. Number:	104. Length: ft.	105. Width: ft.	106. Area: sq. ft.	107. Height: ft.	108. Volume: cu. ft.	109. Estimated Cost of Work: $	OFFICIAL USE ONLY FEE $ By: Date:
110. Material of Roof:	111. Material of Sides:	112. Wall thickness:: ☐ External ( ) inches ☐ Party ( ) inches				113. Color:	

(G) AWNING (COMPLETE ITEMS 114 THRU 123)

114. Number:	115. Color:	116. Type: ☐ Folding ☐ Fixed	117. Projections: Beyond bldg. line _____ in. Beyond pt. of attachm. _____ in.	118. Height of lowest part of awning: (a) _____ ft above sidewalk (b) _____ ft above parking (c) _____ ft above grade	OFFICIAL USE ONLY FEE $ By: Date:

119. Material of Frame:	120. Material of Covering:	121. Lettering on Awning? ☐ Yes ☐ No	122. Fixed posts? ☐ Yes ☐ No	123. Over sidewalk cafe? ☐ Yes ☐ No

(H) SIGN (COMPLETE ITEMS 124 THRU 144)

124. Number:	125. Electric Signs? ☐ Yes, answer q. 126-132 ☐ No, SKIP q. 126-132	126. Type: ☐ Incandes. ☐ Fluoresc. ☐ Neon	127. Power _____ VA	128. Electrical Contractor: Lic. No.:

129. Address of Electrical Contractor *(include Zip)*	130. Signature of Licensed Electrician:	131. Phone:	132. License No.:

133. Height relative to building and ground: (a) _____ ft _____ in above sidewalk (b) _____ ft _____ in above roof (c) _____ ft _____ in is bldg height (d) _____ ft _____ in above projection or window (e) _____ ft _____ in from roof to sign's bottom	134. Material of Sign:	135. Type of Sign:	136. Color:
	137. Width: ft.	138. Length: ft.	139. Area of Sign: sq. ft.	140. Width of Business Frontage: ft.

141. C of O Number for Building:	142. Sign Contractor Lic. No.:	OFFICIAL USE ONLY Sign FEE $	Elect. FEE $	Total FEE $ 3.00
43. Sign Contractor's Address:	144. Phone:	By: Date:	By: Date:	BY: Date:

(I) APPLICANT'S SIGNATURE:

A. **OWNER:** I hereby certify that I am the owner of the property; that the application and plans are complete and correct to the best of my knowledge; and that if a permit (or permits) is issued, the construction will conform to the D.C. Construction Codes, the Zoning Regulations, and other applicable laws and regulations of the District of Columbia.

Signature of Owner:_____ Address:_____ Date:_____

B. **AGENT:** I hereby certify that I have the authority of the owner to make this application. I declare that the application and plans are complete and correct to the best of my knowledge. The owner has assured me that if a permit (or permits) is issued, the construction will conform to the D.C. Construction Codes, the Zoning Regulations, and other applicable laws and regulations of the District of Columbia.

Signature of Agent: Mario Escalante Address: 4420 NIAGARA RD Date: 2-5-00

(J) APPROVALS (DO NOT WRITE ON THIS PAGE; OFFICIAL USE ONLY):

A. PERMIT CONTROL

- ☐ 1. Fine Arts by: _____ Date: _____
- ☐ 2. Historic by: _____ Date: _____
- ☐ 3. PADC by: _____ Date: _____
- ☐ 4. Cap. Gateway by: _____ Date: _____
- ☐ 5. W.H./Obs. Precinct by: _____ Date: _____
- ☐ 6. Flood Control by: _____ Date: _____
- ☐ 7. WMATA by: _____ Date: _____
- ☐ 8. Condem. by: _____ Date: _____
- ☐ 9. RLA by: _____ Date: _____
- ☐ 10. Rental Accom. by: _____ Date: _____
- ☐ 11. Chinatown Distr. by: _____ Date: _____
- ☐ 12. Utility Clearance by: _____ Date: _____
- ☐ 13. General Liability Ins. Policy Clearance by: _____ Date: _____

B. CLEARANCE TO FILE PLANS

- ☐ 1. Zoning by: _____ Date: _____
- ☐ 2. DPW — Permit and Records Division
  Access to Parking Street ☐ Street ☐ Alley
  Cleared by: _____ Date: 2/7/01
- ☐ 3. DPW - Consumer Engineer
  Cleared by: _____ Date: _____
- ☐ 4. ERA - Erosion Control
  Cleared by: _____ Date: _____

Restrictions of the Permit:
NOTIFY DEPARTMENT OF PUBLIC WORKS
48 HOURS PRIOR TO START OF CONSTRUCTION
DC WASA, WATER SVC & SEWER SVC
RALPH JORDAN, MARTIN WALLACE
AREA CONSTRUCTION ENGINEER, WASUA
TELEPHONE PLUMBING AND MECHANICAL
(202) 787-2393
(202) 612-3460
INSPECTIONS ARE REQUIRED.

TO REPORT WASTE, FRAUD, OR ABUSE BY ANY D.C. GOVERNMENT OFFICE OR OFFICIAL, CALL THE D.C. INSPECTOR GENERAL AT 1-800-521-1639

C. PLANS AND APPLICATION APPROVAL

- ☑ 1. Information Counter by: _____ Date: 2/5/01
- ☐ 2. Information Center by: _____ Date: _____
  - ☐ (a) ABC Board by: _____ Date: _____
  - ☐ (b) Noise Control by: _____ Date: _____
  - ☐ (c) Industrial Safety by: _____ Date: _____
  - ☐ (d) Vector Control by: _____ Date: _____
  - ☐ (e) D.C. Animal by: _____ Date: _____
  - ☐ (f) Police Dept. by: _____ Date: 2/14/01
- ☑ 3. Zoning by: _____ Date: _____
  Zoning Update by: _____ Date: _____
- ☑ 4. DPW - Permit and Records Division/Deposit # D02984
  Sidewalk Deposit $ 10,178 Driveway Deposit $ _____
  by: _____ Date: 3/8/01
- ☑ 5. Water/Sewer Design Branch
  Consumer Eng. by: _____ Date: 3-8-2001
- ☐ 6. Environmental Regulation Administration
  - ☐ Environmental Policy Review
    Control No.: 00-00014
    by: _____ Date: 3/8/01
  - ☑ Erosion Control by: _____ Date: 3-06-01
  - ☐ Storm Water Mgmt. by: CE Date: 3-06-01
    Plan No. N/A
- ☐ 7. Mechanical Eng. Review by: _____ Date: 2/4/01
- ☐ 8. Plumbing Eng. Review by: _____ Date: 2/4/01
- ☐ 9. Electrical Eng. Review by: _____ Date: 2/7/01
- ☒ 10. Health Plan Review
  - ☒ (a) Food Plan Review by: _____ Date: 2/7/01
  - ☐ (b) Medical X-ray Plan Rev. by: _____ Date: _____
- ☐ 11. D.C. Fire Dept. (Fire Prevention Plan Review Section) by: _____ Date: 2/16/01
- ☐ 12. Elevator Plan Rev. Sec. by: _____ Date: 2-07-01
- ☐ 13. Plumbing Insp. Rev. by: _____ Date: _____
- ☐ 14. Construction Insp. Branch (Field Check) by: _____ Date: _____
- ☐ 15. Historic Pres. Div. by: _____ Date: _____
- ☐ 16. Structural Eng. by: _____ Date: 3/8/01
- ☐ 17. Permit and Certificate Issuance Counter By: _____ Date: _____
- ☐ 18. Q.C. By: _____ Date: 3/8/01

ZONING

C of O Number _____ Date _____
Existing Use(s) POD, NBTV BUILDING

- ☐ New bldg.
- ☐ P.O.D.
- ☐ File in room 329

Job No.:	BZA Case No.:	PUD Order No.:

DPW — PUBLIC SPACE

Street Name: _____
Street Width: _____
Road Width: _____
Sidewalk Width: _____
Parking: _____
Restrictions: _____

K-7-E

PRE-FILE NUMBERS	ZONING DISTRICT	FILE NUMBER	PERMIT NUMBER

S90-A1

★ ★ ★ GOVERNMENT OF THE DISTRICT OF COLUMBIA

BLRA-33 (Rev. 10/91)

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION; PERMIT PROCESSING DIVISION (727-7

APPLICATION FOR CONSTRUCTION PERMITS ON PRIVATE PROPERTY

21333

(PRINT IN INK OR TYPE; DO NOT WRITE IN SHADED AREAS OR ON PAGE 4)

ERASING, CROSSING OUT, WHITING OUT, OR OTHERWISE ALTERING ANY ENTERED INFORMATION WILL VOID THIS APPLICATION

(A) ALL APPLICANTS MUST COMPLETE ITEMS 1 THRU 27

1. Address of Proposed Work:	Suite No.:	2. Lot:	3. Square:	4. Application Date:
5111 Connecticut Ave., N.W.		(Site per Sub)	1989	July 10, 2000

5. Owner of Building or Property:	6. Address: *(include Zip)*	7. Phone:
Sunny & Louis Reyes et AL (See Attached Page)	5111 Connecticut Ave. Washington, D.C. 20015	Work: 703-744-1830 Home: 703-627-4985
8. Agent for Owner: *(if applicable)*	**9. Address:** *(include Zip)*	**10. Phone:**
Mario Escalante	P.O. Box 501 College Park, MD 20741 - 0501	Work: 301-474-5327 Home: 301-382-2427

11. Type of Proposed Work *(check all applicable boxes):*

- ☒ New Building
- ☐ Addition
- ☐ Alteration and Repair
- ☐ Raze Building
- ☐ Retaining Wall
- ☐ Fence
- ☐ Shed
- ☐ Awning
- ☐ Garage
- ☐ Sign
- ☐ Other *(Specify)* _____

12. Description of Proposed Work:

A seven story cast in place concrete structure containing Assisted Living Residences with underground parking.

BZA
Case No. 16716
Exhibit No. 3

D.C. OFFICE OF ZONING
RECEIVED
2000 MAR 16 PM 3:5

13. Existing Use(s) of Building or Property:	14. Ex. No. of Stories of Bldg.:	15. Ex. No. of Dwelling Units:	
~~Residential~~ Vacant land			
16. Proposed Use(s) of Building or Property:	**17. Prop. No. of Stories of Bldg.:**	**18. Prop. No. of Dwelling Units:**	
Residential	7 + Pent	102	

19. Starting Date of Work:	20. Completion Date of Work:	21. Method of Removing Construction Debris:	22. Does the proposed work involve **disturbing the earth** or razing a building?
Oct. 1, 2000	Oct. 1, 2001	☐ Pick-up Truck ☒ Dumpster ☐ Other *(specify):*	☒ Yes, answer q. 23 ☐ No, SKIP q. 23-27

23. Is the area of disturbed earth more than 50 sq. ft.?	24. Soil Erosion Control Methods:	25. Area of Offsite Drainage:	26. No. of Footings or Columns:	27. Size of Footings of Columns:
☒ Yes, answer q. 24-25 ☐ No, SKIP q. 24-25		0 sq. ft.		22 x 22 sq. ft.

ALWAYS SIGN THE APPLICATION ON PAGE 3 (SECTION I).

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)

wd-375

(B) NEW BUILDING, ADDITION, & ALTERATION (COMPLETE ITEMS 28 THRU 60)

28. Architect's Name:	29. Lic. No.:	30. Architect's Address: *(include Zip)*	31. Phone:
Steven H. Ruiz	ARC4553	Beery, Rio & Associates 8001 Braddock Rd., 4th Fl.	703-249-7660
32. Engineer's Name:	**33. Lic. No.:**	**34. Engineer's Address: *(include Zip)***	**35. Phone:**
Clyde G. Hurst, Jr.	3456	Springfield, VA 22151 308 Hillwood Ave.	703-534-7872
36. Building Contractor's Name:	**36A. Lic. No.:**	**37. Contractor's Address:**	**38. Phone:**
To Be Selected		Falls Church, VA 22046	

39. Type of Construction	40. Fire Suppression:	41. Booster Pump:	42. Total Lot Area:	43. Breakdown of Lot Area (= 100%)
☐ Masonry ☐ Steel ☐ Wood ☐ Other: ☒ Concrete	☒ Fully Sprinklered ☐ Standpipe System ☐ Partially Sprinklered ☐ None ☐ Other:	☒ New ☐ Existing ☐ None	23,106 sq. ft.	a. Building: 57 % b. Paved Area: % c. Greenery: %

44. Present Gross Floor Area of Bldg.:	45. Proposed Gross Floor Area of Bldg:	46. Floors involved in this permit:	47. **Projection beyond building line?**
sq. ft.	80,800 sq. ft.	☒ All ☐ Floors	☐ Yes, answer **q. 48-52** ☒ No, SKIP **q. 48-52**

48. Number and type of **projection:**	49. Distance of **projection:**	50. Width of **projection:**	51. Width of building frontage: ft. 52. Signature of Owner **(projection only):**

53. Water or Sewer Excavation?	54. Driveway Construction?	55. Sheeting/Shoring Necessary?	56. Elevators involved?	57. No. and type of elev.:	58. Plans Certified by Engineer?
☒ Yes ☐ No	☒ Yes ☐ No	☒ Yes ☐ No	☒ Yes, answer **q. 57** ☐ No, SKIP **q. 57**	Geared 2(3500lb)	☒ Yes, cert. is attached ☐ No

59. Estimated Cost of Work:
(a) New/Add.: $ 10 Million
(b) Alt/Rep.: $
Total: $ 10 Million

60. Volume of New Bldg. or Addition: 1,048,615 cubic ft.

OFFICIAL USE ONLY

Alter/Repair FEE	New Const. FEE	Filing Fees	TOTAL PERMIT FEE
$	$	$	$
By: Date:	By: Date:	By: Date:	By: Date:

(C) RAZING A BUILDING (COMPLETE ITEMS 61 THRU 83)

61. Raze Contractor's Name:	62. Contractor's Address: *(include Zip)*	63. Phone:

64. Insurance Company:	65. Policy or Certif. No.:	66. Expir. Date:	67. Raze Method:

68. Building Material:	69. Raze Entire Building?	70. Building Condemned?	70A. Building Vacant?	71. Public Space Vault?	72. Disconnect Water and/or Sewer?	73. Size of Wate Connection
	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	in.

74. Plumber's Name:	75. Lic. No.	76. Length:	77. Width:	78. Height:	79. Volume:	80. Party Wall?
		ft.	ft.	ft.	cu. ft.	☐ Yes ☐ No

81. Asbestos in the Building?	82. Raze Contractor Signature:	OFFICIAL USE ONLY
☐ No ☐ Yes, Location	83. Owner's Signature:	

(D) RETAINING WALL (COMPLETE ITEMS 84 THRU 93)

The retaining wall will not obstruct any accessible parking required by D.C. Zoning Regulations

84. Cost of Work:	85. Material:	86. Height:	87. Color:	88. Location:
$		ft.		☐ Entirely on Owner's Land ☐ Party Line with Adjacent Neighboring Land*

* If party wall, the owner of the adjoining property must agree to the erection of the retaining wall and this application.

89. Signature of Adjoining Owner:	90. Phone: Work / Home	OFFICIAL USE ONLY FEE By Date
91. Address of Adjoining Owner:	92. Lot: 93. Square:	