GREENBERG
ATTORNEYS AT LAW
TRAURIG

Jane Gumbrewicz
202-452-4877

January 8, 2002

Dave McGettigan
Board of Zoning Adjustment
441 4th Street, N. W.
Washington, D. C. 20001

Re: BZA Application No. 16820 – 4201 Fessenden Street, N. W. (Square 1669, Lots 26 and 27)

Dear Mr. McGettigan:

Pursuant to our conversation of January 8, 2002, I have enclosed a copy of the previous BZA summary order dated November 27, 1991 granting Citibank a ten year exception to operate a parking lot on lots 26 and 27, square 1669. The BZA application number is 15572. I have also enclosed the certificate of occupancy dated April 3, 1992, a plat showing landscaping and the application for certificate of occupancy dated May 15, 2001.

If there are any other materials you need to complete this application, please contact me at 202-452-4877.

Sincerely,

Jane Gumbrewicz
Paralegal

BZA
Case No. 16820
Exhibit No. 20

Board of Zoning Adjustment
District of Columbia
CASE NO.16820
EXHIBIT NO.20

MEMORANDUM

RECEIVED
DEC 5 1991
LEGAL DEPARTMENT

MEMO TO: Diane Sheehan

FROM: Vince Mohler

DATE: December 4, 1991

SUBJECT: Board of Zoning Adjustment Order
5001 Wisconsin Avenue (Friendship Hghts Br.)

Enclosed for your files is the BZA summary order granting Citibank a 10 year extension of our exception to operate a parking lot on lots 26 and 27, square 1667, 4201 Fessenden St. N.W.

CC: Pete Kaminski
Mike Havlik

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 15572 of Citibank, F.S.B., pursuant to 11 DCMR 3108.1, for a special exception under Section 214 to continue to operate a parking lot in an R-4 District at premises 4201 Fessenden Street, N.W., (Square 1669, Lots 26 and 27).

HEARING DATE: November 13, 1991
DECISION DATE: November 13, 1991 (Bench Decision)

SUMMARY ORDER

The Board duly provided timely notice of public hearing on this application, by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 3E and to owners of property within 200 feet of the site.

The site of the application is located in ANC 3E. ANC 3E, which is automatically a party to the application, submitted a written statement of issues and concerns in support of the application.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a special exception pursuant to 11 DCMR 214. No person or entity appeared at the public hearing in opposition to the application or otherwise requested to participate as a party in this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108, and that granting the requested relief is in harmony with the general purpose and intent of the Zoning Regulations and Map and will not tend to affect adversely the use of neighboring property in accordance with said Zoning Regulations and Map. It is therefore **ORDERED** that the application is **GRANTED**, subject to the following **CONDITIONS**.

1. Approval shall be for a period of TEN (10) YEARS from the date of expiration of the previous approval, namely February 26, 1992.

2. The parking layout and landscaping shall be as shown on the site plan marked as Exhibit No. 9 of the record.

3. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming of all-weather impervious surface.

4. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.

5. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.

6. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.

7. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.

8. Any lighting used to illuminate the parking lot or its accessry building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law.

VOTE: 3-0 (Maybelle Taylor Bennett, Paula L. Jewell, and Carrie L. Thornhill to grant; Sheri M. Pruitt and Charles R. Norris not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: Madeliene H. Robinson
MADELIENE H. ROBINSON
Acting Director

FINAL DATE OF ORDER: NOV 27 1991

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

ord15572/LJP

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA APPLICATION NO. 15572

As Acting Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a letter has been mail to all parties, dated NOV 27 1991 and mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and to is listed below:

Robin B. Hayes, Esquire
Stohlman, Beuchert, Egan & Smith
1775 Penn. Ave., N.W., Suite400
Wash, D.C. 20006

Vincent T. Mohler
8400 Jandy Avenue
Laurel, MD 20723

MADELIENE H. ROBINSON
Acting Director

DATE: NOV 27 1991

Submitting for renewal

No. B 162577

BLRA-17
(Rev. 6/86)

District of Columbia Government
Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration Zoning Division
P.O. BOX 37200 — Washington, D.C. 20013-7200

CERTIFICATE OF OCCUPANCY

April 3, 1992
(date)

Permission is hereby granted to DOGGETT ENTERPRISES, INC.
to use suite(s) _____ on the LOT floor(s)
of the building located on lot(s) 26-27 square 1669
known as premises 4201 Fessenden Street, N.W. for the following
purpose(s) Auto Parking Lot
Not sexually oriented [ ] su

BZA #: 15572 EXPIRATION DATE: November 27, 2001

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, ONLY for the premises, or part thereof, and for the purpose(s), indicated above, and IS NOT TRANSFERABLE to another person or premises under ANY conditions. ANY CHANGE in the type of business, ownership of business, or part of premises used therefor, will render this Certificate VOID and a NEW Certificate must be obtained.

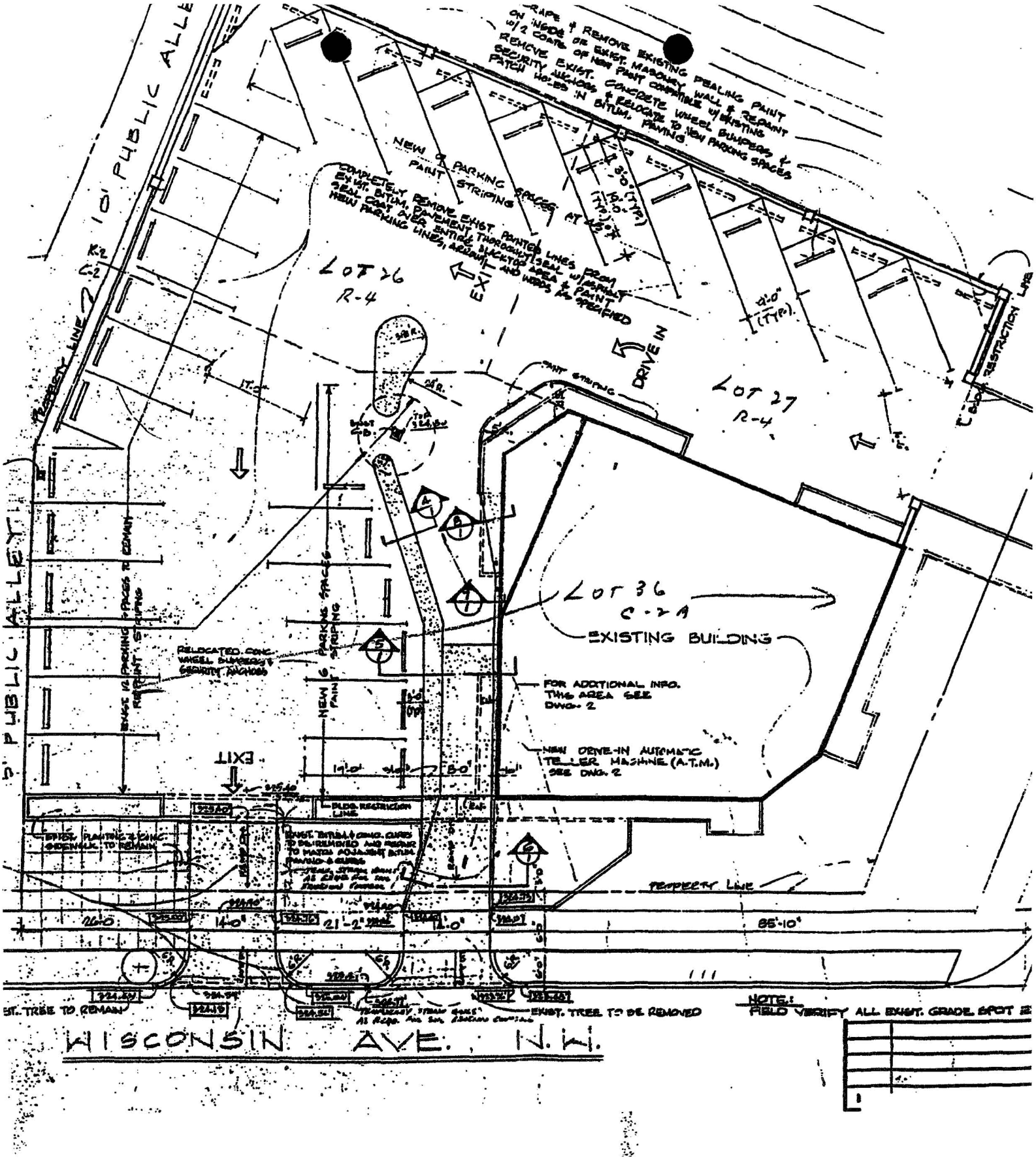
ZONE R-4 FEE $ 47.00

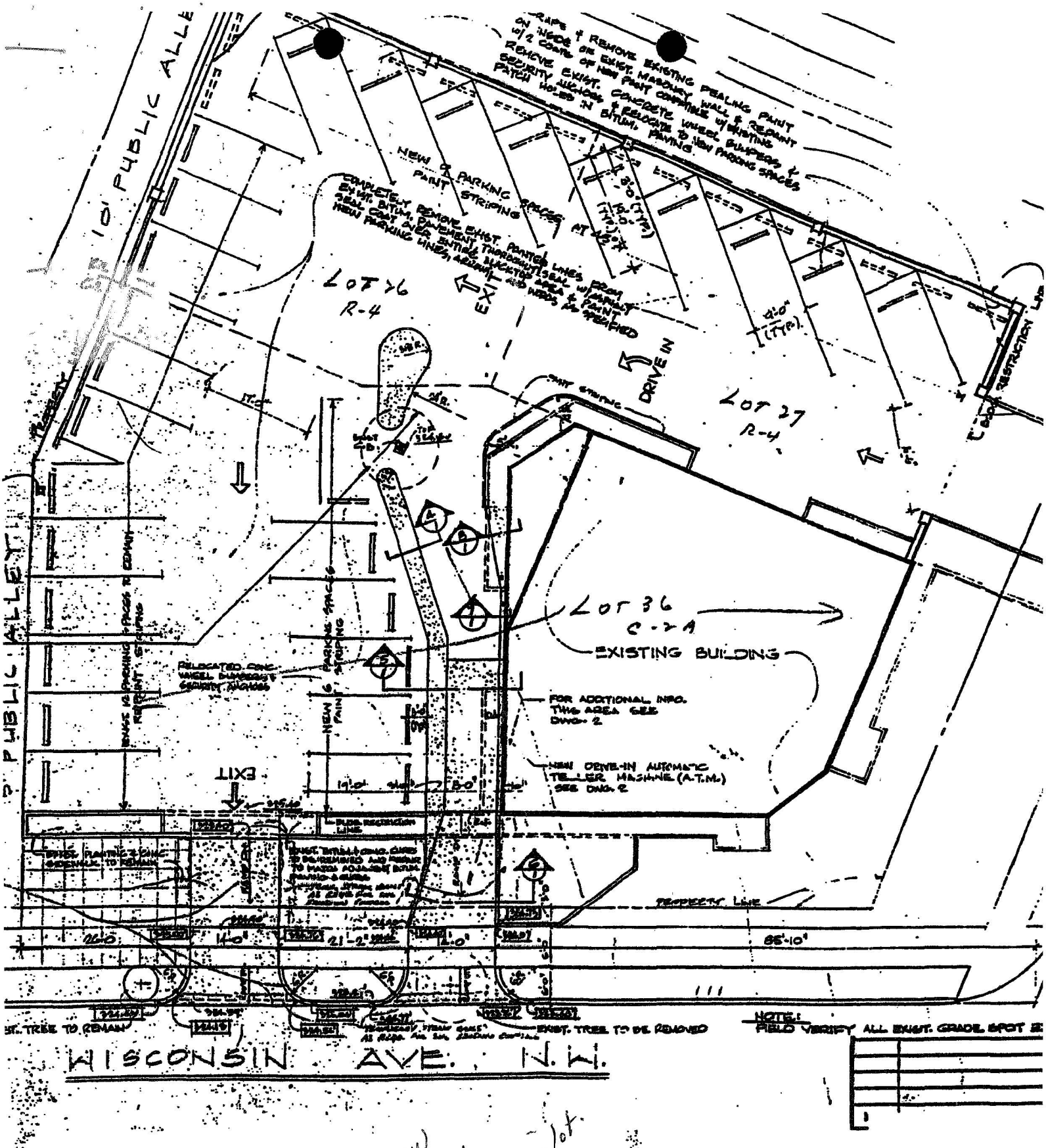
Donald G. Murray, Director
By Debra Mack
Designee

86—P-3601 wd11

cc: V. M. Burgess, Bank file 4/8/92

(SIMON KEY 1154)


10' PUBLIC ALLEY
PROPERTY LINE
LOT 26
R-4
LOT 27
R-4
LOT 36
C-2-A
EXISTING BUILDING
DRIVE IN
NEW 9 PARKING SPACES PAINT STRIPING AT 45°
COMPLETELY REMOVE EXIST. PAINTED LINES FROM EXIST. BITUM. PAVEMENT THOROUGHLY SEAL w/ASPHALT SEAL COAT OVER ENTIRE BLACKTOP AREA & PAINT NEW PARKING LINES, ARROWS AND WORDS AS SPECIFIED
RAKE OUT & REMOVE EXISTING PEALING PAINT ON INSIDE OF EXIST. MASONRY WALL & REPAINT w/2 COATS OF NEW PAINT COMPATIBLE w/EXISTING
REMOVE EXIST. CONCRETE WHEEL BUMPERS & SECURITY LIGHTS & RELOCATE TO NEW PARKING SPACES
PATCH HOLES IN BITUM. PAVING
RELOCATED CONC. WHEEL BUMPERS & SECURITY LIGHTS
NEW 9 PARKING SPACES PAINT STRIPING
PARKING SPACES PAINT STRIPING
EXIT
FOR ADDITIONAL INFO. THIS AREA SEE DWG. 2
NEW DRIVE-IN AUTOMATIC TELLER MACHINE (A.T.M.) SEE DWG. 2
BLDG. RESTRICTION LINE
EXIST. PLANTING & CONC. SIDEWALK TO REMAIN
EXIST. ENTRANCE CONC. CURBS TO BE REMOVED AND REPAIR TO MATCH ADJACENT BITUM. PAVING & CURBS
PROPERTY LINE
14'-0"
21'-2"
12'-0"
85'-10"
EXIST. TREE TO REMAIN
EXIST. TREE TO BE REMOVED
NOTE: FIELD VERIFY ALL EXIST. GRADE SPOT E
WISCONSIN AVE. N.W.



West Show
Egress & Ingress
No exit parking lot.

STREET
42 NO
26
27
34
Alley
Alley
RESTRICTION
AVENUE
WISCONSIN

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION
APPLICATION FOR CERTIFICATE OF OCCUPANCY

Date 5/15/01 Receipt No. _____

Application Fee $25.00 Non Refundable
Certificate Fee – Based on square footage

Cashier's No. _____

INFORMATION ON PROPOSED BUSINESS

1. Premise Address 4201 Fessenden St N.W. Suite/Room No —
2. Business Telephone No. 301-680-1167 Fax No. 301-622-2784 Lot 26 & 27 Square 1667
3. Trade Name of Business Citibank F.S.B.
4. Is Business Incorporated? Y/N Y Partnership? Y/N _____ Sole Proprietor? Y/N _____ New/Existing _____
5. Corporate Name Citibank F.S.B.
6. President _____ Vice President B.W. Kaminski, Jr. Secretary _____
7. Sole Proprietor N/A
8. Business Owner's Mailing Address 12401 Prosperity Drive phone # (daytime) 301-680-1167
   Silver Spring, MD. 20904

INFORMATION ON OCCUPANCY

9. ☐ Ownership Change ☐ Partial Occupancy ☐ New Bldg. ☐ Use change ☐ Load Change ☐ B.Z.A No. 15572
10. Proposed Use of Premises AUTO PARKING LOT
11. Prior Use of Premises AUTO PARKING LOT
12. Proposed Occupancy Load 12 CARS Square Feet Occupied 9168
13. Floors to be Occupied N/A Basement ? ☐ Yes ☒ No
14. Is this Business Sexually Oriented according to the DC Zoning Regulations ? ☐ Yes ☒ No

INFORMATION ON ENTIRE BUILDING

15. Building Owner _____ Telephone No. _____
16. Building Owner's Address: _____
17. Square feet _____ Numbers of floors _____ Basement _____

ATTESTATION & SIGNATURE

I certify that all of the statements on this application are true to the best of my knowledge and belief. I agree to comply with all applicable laws and regulations of the District of Columbia.

18. Owner of Business Citibank F.S.B. Date 4/6/01
    Signature

If Authorized Agent for owner of Business (Attach Authorization)

19. Agent's Name BERNARD W. KAMINSKI, JR. V.P. Date 4/6/01
    Print Clearly Signature

20. Agent's Address 12401 Prosperity Drive Silver Spring MD 20904

NOTICE

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

Please sign and return this Form

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Clean Hands Before Receiving a License or Permit Act of 1996 Certification Form

Please read this from carefully and completely before signing. Any false information provided requires that the Department of Consumer and Regulatory Affairs proceed immediately to revoke the license or permit for which you are now applying, and fine you one thousand dollars ($1,000.00). This Certification Form is required to be completed and submitted with any application for licensure or permit under the Clean Hands Before Receiving a License or Permit Act of 1996, effective May 11, 1996 (D.C. Law 11-118, D.C. Codes §47-2861 et seq.).

I, Bernard D. Zaminski, Jr. as Corporate officer
(name) (owner/partner/corporate officer)

certify that Citibank F.S.B., trading as Citibank, F.S.B.
(business name) (trade name)

does not owe more than one hundred dollars ($100.00) to the District of Columbia government as a result of:

1. Fines, penalties or interest assessed pursuant to the Litter Control Administration Act of 1995, effective March 25, 1986 (D.C. Law 6-100; D.C. Code §6-2911 et seq.);

2. Fines, penalties or interest assessed pursuant to the Illegal Dumping Enforcement Act of 1994, effective May 20, 1994 (D.C. Law 10-117; D.C. Code §6-2911 et seq.);

3. Fines, penalties or interest assessed pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1986 (D.C. Law 6-42; D.C. Code §6-2701 et seq.); or

4. Past due taxes.

I understand that if I knowingly provide false information on the Certification Form, the Department of Consumer and Regulatory Affairs will move to revoke the license or permit for which I am applying and fine me one thousand dollars ($1,000.00). I further understand that the Department of Consumer and Regulatory Affairs may conduct an investigation to ascertain the veracity of the information contained in this Certification Form.

I understand that this Certification Form is now required as part of my application for a license or permit, and that by completing it, I am not guaranteed that my license or permit will be approved.

V.P. 4/6/01
Signature and Title Date

cc: Office of Tax & Revenue

For Tax Assistance Call (202) 442-6340

citigroup
Corporate Realty Services
12401 Prosperity Drive
Silver Spring, MD 20904

November 14, 2001

Re: 4201 Fessenden Street, N.W.
Washington, D.C.

To Whom It May Concern:

Please be advised that Jane Gumbrewicz, is authorized to act on behalf of Citibank, F.S.B. in connection with the application and appeal process for a Certificate of Occupancy regarding the parking lot located at 4201 Fessenden Street, N.W., Washington, D.C.

Very Truly Yours,

Simon C. Key
Vice President
Citicorp North America, Inc.
As Agent for Citibank, F.S.B.