REVISED

SPECIAL PUBLIC MEETING

Hearing Date: January 14, 2003 Decision Date: February 11, 2003

16966 Application of NEST and Totah Venture, LLC, pursuant to 11 DCMR § 3104.1, for a special exception to allow a mechanical penthouse not meeting the setback requirements under section 411 (770.6(b)), and pursuant to 11 DCMR § 3103.2, ~~a variance from the floor area ratio requirements under section 771,~~ and a variance from the rear yard requirements under section 774, to allow the construction of a retail/office building with an accessory parking garage in the C-4 District at premises 1426-1430 K Street, N.W. (Square 218, Lots 808 and 823).

NOTE: The ZA has indicated that variance relief is not need from the FAR requirement.

At the Public Hearing, the following persons presented the case on behalf of the Applicant:

Attorney: Michael A. Cain
Architect: Richard A. Donnally
Developer: Alan E. Nessim

Ually Spencer, representing property located at 901 15th Street, N.W., requested Party Status. The Board determined that the property would not be directly impacted by the proposed development and, by consensus, denied party status to Ually Spencer.

At the Public Hearing, Chevy Chase Bank requested Party Status. The request was filed late; the Board waived the filing deadline. The bank is the owner of property located at 925 15th Street, N.W. The Chevy Chase property contains a six-story building that consists of 18,061 square feet. It is located immediately adjacent to the rear of the subject property. The Board determined that the property owner could be directly impacted by the proposed development and, unanimously, granted Party Status to the bank.

After hearing the facts of the case, the Board requested that the Applicant provide a referral letter from the Zoning Administrator identifying the correct zoning relief required for this project. In addition, the Board established the following timeline:

February 4, 2003	Submission date for the referral letter from the Zoning Administrator and the proposed Findings of Fact.
February 11, 2003	Decision at the Board's Special Public Meeting, 9:00 a.m.

Board Members Participating: Geoffrey H. Griffis, Anne Mohnkern Renshaw, Curtis L. Etherly, Jr. and John G. Parsons.

BZA
Case No. 16966
Exhibit No. 39
Board of Zoning Adjustment
District of Columbia
CASE NO.16966
EXHIBIT NO.39