Form 120 – Exhibit 1 (Revised 04/29/02)		Case No. 16969

BEFORE THE BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

(AMENDED) APPLICATION

Notice: See other side of application form for instructions

Pursuant to Sections §3103.2 - Use Variance, §3103.2 - Area Variance and/or §3104.1 - Special Exception of Title 11 DCMR- Zoning Regulations an application is hereby made, the details of which are as follows:

Address(es)	Square	Lot No(s).	Zoning Districts	Relief Being Sought Area Variance · Use Variance Special Exception	Section No(s).
1522-1526 14th St, N.W.	209	98	Arts/C-3-A	2 area variances	772 & 773
				Special exception	1901.1
				(above granted in 16907)	
				Special exception	**774.1**

Present use(s) of Property:	Retail
Proposed use(s) of Property:	Mixed Use: Retail and Residential

Owner of Property:	U.S. Property Development Corp.	**Telephone No:**	(703) 893-2340
Address of Owner:	777 Leesburg Pike, Suite 402N, Falls Church, VA 22043		

Written paragraph specifically stating the "who, what, and where of the proposed action(s)". This will serve as the Public Hearing Notice: Application of U.S. Property Development Corporation for a special exception from the rear yard requirements of section 774.1 of the Zoning Regulations to allow the development of mixed-use residential and retail project at 1522-1526 14th Street, N.W.

BZA
Case No. 16969
Exhibit No. 2

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Estimated construction cost	$ 20 Million (approx.)	**Advisory Neighborhood Commission Single-Member District(s)**	2F01

Date:	November 12, 2002	**Signature:**	Applicant*

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

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

Name:	Robins, Kaplan, Miller & Ciresi -- Richard B. Nettler & Jeannine Rustad Zigner				
Address:	1801 K Street, N.W., Suite 1200, Washington, D.C. 20006				
Phone No.:	736-2720 / 2718	**Fax No.:**	202-223-8604	**E-Mail:**	rbnettler@rkmc.com jrzigner@rkmc.com

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

Board of Zoning Adjustment
District of Columbia
CASE NO.16969
EXHIBIT NO.2

INSTRUCTIONS

Any notice of application for action provided in the District of Columbia Zoning Regulations (11 DCMR Zoning) that is not completed in accordance with the following instructions shall not be accepted. ***Do not mail this form to the Board of Zoning Adjustment.***

1. All applications shall be made on Form 120. All applications must be completely filled out and be typewritten or printed. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form (drawings and plans may be no larger than 11"x17").

2. Present this form and supporting documents, in person, to the Office of Zoning at 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.

3. At the time of filing an application before the Board of Zoning Adjustment, the Petitioner shall pay a filing fee in accordance with the Board of Zoning Adjustment Schedule of Fees (11 DCMR 3180).

4. ***REQUIRED information to be submitted when making an application submission, includes <u>one (1) original and twenty (20) copies</u> of the following (except for labels of which (1) original and (1) copy is required):***

   A. All applicants shall obtain from the Zoning Administrator (DCRA) a memorandum directing the applicant to the Board of Zoning Adjustment prior to filing this application or file through self-certification using Form 135. For self-certification, a licensed architect or attorney must certify the proposed relief requested.

   B. A plat, drawn to scale and certified by a DC licensed survey engineer or the D.C. Office of the Surveyor showing boundaries and dimensions of the existing and proposed buildings and accessory buildings. Also required are architectural plans and elevations in sufficient detail to clearly illustrate any proposed building to be erected or altered, proposed landscaping/screens and building materials. Submittal of plat and plans shall not exceed 11? x 17? in size. (See Form 130 – Plat, Plan and Elevation Specifications for the required information on these drawings.)

   C. A detailed statement of existing and intended use of such building or part of building.

   D. A detailed statement explaining how the application meets the specific tests identified in the Zoning Regulations for variance (area and/or use), special exception or other specific relief being sought. (See Form 121 – Applicant's Burden of Proof for Variance and Special Exception Applications.)

   E. Three color photograph views of appropriate size, not-to-exceed 8½" x 11", showing pertinent features of the building and the property involved (front, rear and sides, if possible).

   F. The names and mailing addresses of the owners of all property within 200 feet, in all directions from all boundaries of the property involved in the application, **<u>and self-stick labels of the names and mailing addresses of the owners of the properties</u>.** (Note: This information is most readily available from the D.C. Department of Tax and Revenue, Tax Assessors, 941 North Capitol Street, N.E., 1st Floor, Washington, D.C. 20002.)

   G. The name and mailing address of any person who has a lease with the owner for all or part of any building located on the property involved in the application.

   H. Documentation or a copy of the Certificate of Occupancy showing the current authorized use. In cases where a change in one conforming use to another non-conforming use is requested, provide a copy of the past authorized uses.

Note: **All applications are referred for review and recommendation to the D.C. Office of Planning (OP) and the Advisory Neighborhood Commission within which the affected property is located. Their reports are given "great weight" in the BZA decision-making process. Applicants are strongly recommended, at the time of filing a Form 120 appl ication, to make contact with these agencies to discuss the merits of their application. OP can be reached at (202) 442-7602.**

District of Columbia Office of Zoning
441 4th Street, N.W. Ste. 210-S, Washington, D.C. 20001
(202) 727-6311 * (202) 727-6072 fax * www.dcoz.dc.gov