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November 17, 2004

Geoffrey Griffis, Chair
D.C. Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210
Washington, D.C. 20001

Re: BZA Application No. 17178
Potter's House Church – Additional Variance

Dear Mr. Chairman and Members of the Board:

Potter's House Church, the Applicant in the above-cited case, hereby requests an amendment to its application in order to request an additional area variance. This is a variance from the width of court requirements of 11 DCMR §776.1. In this regard the following items are attached:

1. A revised Self-Certification Form prepare by the project architect is attached and references the additional variance; and

2. A check in the amount of $800 made payable to the D.C. Treasurer for the filing fee for the additional variance.

The Applicant's Pre-Hearing Submission, to be filed no later than November 22, 2004, will incorporate and address the rationale for additional requested variance. By way of summary, the need for the variance derives from consultations with the abutting property owner to the east of the subject property. These meetings resulted in Potter's House amending its plans to provide a five-foot side setback on the second floor of the proposed addition in order to allow more light and air to reach the neighboring property. This five-foot setback does not comply with the minimum court width required of twelve feet (12'). With that design amendment, both abutting property owners are in support of the application.

As to issues of public notice and whether the public hearing might need to be rescheduled, the Applicant notes the following:

Advisory Neighborhood Commission 1C voted unanimously to support the application, and the modified design was before them at the time of the

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District of Columbia
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EXHIBIT NO. 42

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vote. The ANC single-member district representative insisted upon the abutting owner being in support as a condition of his own support of the application at the ANC.

- After consulting with Mr. Richard Nero of the Office of Zoning staff, the Applicant has agreed to mail a revised Notice of Public Hearing to property owners within 200 feet. The zoning posters to be placed on the site on November 22, 2004 will display the revised notice including the second requested variance. Mr. Nero will post a revised notice at the Office of Zoning as well.

Sincerely,
ARNOLD & PORTER LLP

Cynthia A. Giordano

Nathan W. Gross, AICP

Enclosures

Cc: Advisory Neighborhood Commission 1C
Office of Planning

Form 135 - Side 1
(Revised 03/15/02)

Case No. 17178

ZONING SELF-CERTIFICATION FORM

1656, 1658, 1660 COLUMBIA ROAD, NW	2579	801	C-2-B	ANC-1-C-06

CERTIFICATION

The undersigned agent hereby certifies that the following zoning relief is required from the Board of Zoning Adjustment in this matter pursuant to:

Relief Sought:	☐ §3103.2 Use Variance	☑ §3103.2 Area Variance	☐ §3104.1 Special Exception
Pursuant to Subsections		7760.1	

Pursuant to 11 DCMR §3113.2, the undersigned agent certifies that:

(1) the agent is duly licensed to practice law or architecture in the District of Columbia;
(2) the agent is currently in good standing and otherwise entitled to practice law or architecture in the District of Columbia; and
(3) the applicant is entitled to apply for the variance or special exception sought for the reasons stated in the application.

The undersigned agent and owner acknowledge that they are assuming the risk that the owner may require additional or different zoning relief from that which is self-certified in order to obtain, for the above-referenced project, any building permit, certificate of occupancy, or other administrative determination based upon the Zoning Regulations and Map. Any approval of the application by the Board of Zoning Adjustment does not constitute a Board finding that the relief sought is the relief required to obtain such permit, certification, or determination.

The undersigned agent and owner further acknowledge that any person aggrieved by the issuance of any permit, certificate, or determination for which the requested zoning relief is a prerequisite may appeal that permit, certificate, or determination on the grounds that additional or different zoning relief is required.

The undersigned agent and owner hereby hold the District of Columbia Office of Zoning and Department of Consumer and Regulatory Affairs harmless from any liability for failure of the undersigned to seek complete and proper zoning relief from the Board of Zoning Adjustment.

The undersigned owner hereby authorizes the undersigned agent to act on the owner's behalf in this matter.

Owner's Signature	Owner's Name (Please Print)
Meade M. Jones	MEADE M. JONES
Agent's Signature	**Agent's Name (Please Print)**
Regina Reilly	REGINA REILLY, AIA

Date: 11/09/04 D.C. Bar No. _____ or Architect's Registration No. ARC 100518

OFFICE OF ZONING DETERMINATION

Based upon review of the application, the self-certification of this application is:

☐	Accepted for filing.
☐	Referred to the Office of the Zoning Administrator, Department of Consumer and Regulatory Affairs, for determination of proper zoning relief required.
☐	Rejected for failure to comply with the provisions of ☐ DCMR Title 11 §3113.2; or ☐ DCMR Title 11 Zoning Regulations. Explanation _____

Signature: _____ Date: _____

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Jerrily R. Kress, FAIA, Director
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

Side 2

INSTRUCTIONS

Any request for self-certification that is not completed in accordance with the following instructions shall not be accepted.

1. All self-certification applications shall be made on Form 135. All certification forms must be completely filled out (front and back) and be typewritten or printed legibly. All information shall be furnished by the applicant. If additional space is necessary, use separate sheets of paper to complete this form.

2. Complete one self-certification form for each application filed. Present this form with the Form 120 Application to the Office of Zoning, 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.

ITEM	EXISTING CONDITIONS	MINIMUM REQUIRED	MAXIMUM ALLOWED	PROVIDED BY PROPOSED CONSTRUCTION	VARIANCE Deviation Percent
Lot Area (sq. ft.)	4,705 SF	N/A	N/A	4,705 SF	N/A
Lot Width (ft. to the tenth)	50'-0"	"	"	50'-0"	"
Lot Occupancy (building area/lot area)	71.28%	"	100%	93.82%	"
Floor Area Ratio (FAR) (floor area/lot area)	1.43	"	1.5	1.89	.39
Parking Spaces (number)	0	0	N/A	0	N/A
Loading Berths (number and size in ft.)	0	0	"	0	"
Front Yard (ft. to the tenth)	N/A	N/A	"	N/A	"
Rear Yard (ft. to the tenth)	65'-8"	15' FROM ℄ OF ST.	N/A	49'-10"	"
Side Yard (ft. to the tenth)	N/A	N/A	N/A	NONE	"
Court, Open (width by depth in ft.)	NONE	12'-0"	NONE	5'-0"	7'-0"/42%
Court, Closed (width by depth in ft.)	N/A	N/A	N/A	NONE	N/A
Height (ft. to the tenth)	26'-1"	N/A	65'-0"	29'-0"	N/A