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RECEIVED
D.C. BOARD OF ZONING
2004 NOV 30 A 11:45

November 30, 2004

Mr. Richard S. Nero, Jr.
Chief, Support Services and Quality Control
Government of the District of Columbia
Board Of Zoning Adjustment
441 4th Street, NW, Suite210-S
Washington, D.C. 20001

Re: BZA Application No. 17253 (2101 14th Street, SE)
D.C. Fire and EMS Department

Dear Mr. Nero:

Please find attached a modified application for self-certified application. We have addressed the following:

1. Pursuant to 11 DCMR sub par 3103.2, for a use variance relief from the provisions of sub par 3203 to permit two principal structures on a single record lot:

2. Pursuant to 11 DCMR sub par 3103.2,for a use variance from the nonconforming structure provisions under section 2002.5, to allow enlargement to an already existing nonconforming (a fire station) use:

3. Pursuant to 11 DCMR sub par 3103.2, for an area variance for side yard requirements under sub par 405.6 in an R-3 District at premises 2101 4th Street, SE (Square 5781, Lot 0847).

Please call me, if you have any questions or we need to make further revisions.

Sincerely,
Baker Cooper & Associates, P.C.

Philip S. Cooper

BZA
Case No. 17253
Exhibit No. 22

Board of Zoning Adjustment
District of Columbia
CASE NO. 17253
EXHIBIT NO. 22

Form 120 — Exhibit 1
(Revised 04/29/02)

Case No. 17253

BEFORE THE BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

APPLICATION

Notice: Click Here for Application Form 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(s)*	Lot No(s)*	Zoning Districts*	Relief Being Sought*	Section No(s)*
2101 14th Street, S.E.	5781	0847	R-3	Use Variance	3202.3
2101 14th Street, S.E.	5781	0847	R-3	Use Variance	2002.5
2101 14th Street, S.E.	5781	0847	R-3	Area Variance	405.6

Present Use of Property:*	Fire Station House						
Proposed Use of Property:*	Fire Station House						
Owner of Property:*	Government of the District of Columbia			Telephone No.:*	(202)673-2278		
Address:*	3325 V St., NE #200	City:*	Washington	State:*	DC	Zip:*	20018

Written paragraph specifically stating the "who, what, and where of the proposed action(s)". This will serve as the Public Hearing Notice:*

Application of the Government of the District of Columbia, Fire and Emergency Medical Services Department, pursuant to 11 DCMR § 3103.2, for a use variance relief from the provisions of § 3202.3 to permit two principal structures on a single record lot; pursuant to 11 DCMR § 3103.2, for a use variance from the nonconforming structure provisions under section 2002.5, to allow enlargement to an already existing nonconforming (a fire station) use; and, pursuant to 11 DCMR § 3103.2, for an area variance for side yard requirements under § 405.6 in an R-3 District at premises 2101 14th Street S.E. (Square 5781, Lot 0847.)

Estimated Construction Cost:	$2,700,000.00	Advisory Neighborhood Commission Single-Member District(s):*	8A02
Date:* 09/02/2004		Signature:	

* 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:*	Baker Cooper & Associates, P.C., Isham O. Baker						
Address:*	4000 Albemarle St, NW	City:*	Washington	State:*	DC	Zip:*	20016
Phone No.:*	(202)362-7879	Fax No.:	(202)362-8108	E-Mail:	bakercooper@attglobal.net		

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

2004 NOV 30 AM 11:45
BOARD OF ZONING ADJUSTMENT
DISTRICT OF COLUMBIA
RECEIVED

STATEMENT OF EXISTING & INTENDED USE OF BUILDING AT
2101 14th Street, S.E.
Washington, D.C. 20020

The existing and intended use of the building is a fire station house. The project is part of the Fire and Emergency Medical Services Department (FEMS) efforts to comply with District of Columbia building codes and occupational safety and health administration (OSHA) requirements for the workplace. The scope of work includes:

- developing new mechanical, plumbing, and electrical building systems
- upgrade male personnel rooms (toilet rooms, lockers and showers) to meet ADA requirements
- installation of female personnel rooms
- upgrade public bathroom and entrance to comply with ADA standards
- installation of new 600 SF mechanical/electrical room to meet the needs of the new systems
- roof and storm drain replacement
- upgrade kitchen to meet code requirements
- installation of code compliant fire protection and suppression system
- replacement of damaged structural members

BURDEN OF PROOF FOR VARIANCE RELIEF

1. **USE VARIANCE RELIEF FROM § 3202.3**
   Pursuant to 11 DCMR § 3103.2, for a use variance relief from the provisions of § 3202.3 to permit two principal structures on a single record lot, at premises 2101 14th Street S.E. (Square 5781, Lot 0847.)

§§ 3202.3 BUILDING PERMITS
"Except as provided in §2516 and §5 of An Act to amend an Act of Congress approved March 2, 1893, entitled "An Act To provide a permanent system of highways in that part of the District of Columbia lying outside of cities, and for other purposes, approved June 28, 1898 (30 Stat. 519, 520, as amended; D.C. Official Code§9-101.05 (2001)(formerly codified at D.C. Code §7-114 (1995 Repl.))), a building permit shall not be issued for the proposed erection, construction, or conversion of any principal structure, or for any addition to any principal structure, unless the land for the proposed erection, construction, or conversion has been divided so that each structure will be on a separate lot of record; except buildings and structures related to a fixed right-of-way mass transit system approved by the Council of the District of Columbia. Any combination of commercial occupancies separated in their entirety, erected or maintained in a single ownership shall be considered as one (1) structure.

The existing lot, (Lot 0847), currently has two structures owned by the government of the District of Columbia. The lot subdivision was carried out based on real property assessment and deemed acceptable at the time since both structures are owned by the same entity. The applicant seeks a variance relief to maintain the current recorded lot status of the property, since the intended proposed work is renovation and addition to one of the existing structures on the lot.

2. **USE VARIANCE RELIEF FROM § 2002.5**
   Pursuant to 11 DCMR § 3103.2, for a use variance from the nonconforming structure provisions under section 2002.5, to allow enlargement to an already existing nonconforming (a fire station) use at premises 2101 14th Street S.E. (Square 5781, Lot 0847.)

§ 2002 NONCONFORMING USES WITHIN STRUCTURES

§§ 2002.5 *"A structure devoted to a nonconforming use shall not be enlarged, except if the enlargement is to be devoted to a conforming use."*

The existing use, a fire station (public service use), is intended to remain the same after proposed work is done. The public service use in an R-3 zone was approved at the time of construction and remains approved, since its location provides a necessary service to the surrounding community.
Construction work will provide an additional 7,437 SF to the existing 11,887 SF. The expansion is part of the modernization of the firehouse station.

Proposed work includes:
1. addition of a second floor for the inclusion of new spaces, namely, female personnel rooms, apparatus bay and mechanical/electrical room

2. structural renovation to improve the structural integrity of the building
3. renovation structurally support the proposed second floor addition and expansion

The applicant seeks a use variance to allow for the expansion to the existing structure. The new spaces are auxiliary spaces for a fire station (the intended use of the project) and construction is designed to comply with local codes and regulations as well as the modernization requirements of the fire station.

3. AREA VARIANCE RELIEF FROM § 405.6

Pursuant to 11 DCMR § 3103.2, for an area variance for side yard requirements under § 405.6 in an R-3 District at premises 2101 14th Street S.E. (Square 5781, Lot 0847.)

§§ 405.6 SIDE YARDS

"Except as provided in §§ 405.1 and 405.2, a side yard shall not be required in an R-3, R-4, R-5-B, R-5-C, R-5-D, or R-5-E District. However, if the yard is provided, it shall be at least three inches (3 in.) wide per foot of height of building, but not less than eight feet (8 ft.) wide."

The existing conditions (which are to remain) provide for a 5 foot side yard on the south side of the building. The section only applies to the south side yard as the north yard, which sits along 14th street, is covered under subsection 405.5:
The applicant seeks an area variance to allow for the south side yard width to remain at five feet (5 ft.) The width of the side yard has remained the same since original construction.

Form 135 — Side 1
(Revised 03/15/02)

Case No. 17253

ZONING SELF-CERTIFICATION FORM

Project Address(es)*	Square(s)*	Lot No(s)*	Zoning Districts*	ANC(s)/Single Member District(s)*
2101 14th Street, S.E.	5781	0847	R-3	ANC 02 8A

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 - Use Variance	☑	§3103.2-Area Variance
Pursuant to Subsections	3202.3		2002.5		405.6	

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.

Owners Signature		Owner's Name	Government of the District of Columbia
Agent Signature		Agent Name	Baker Cooper & Associates, P.C., Isham O. Baker

Date*	09/02/2004	DC Bar No.		or	Architect Registration No.	ARC 1309

OFFICE OF ZONING DETERMINATION
(DCMR Title 11 §3113.2)

Based upon review of the application and self-certification, 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	

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

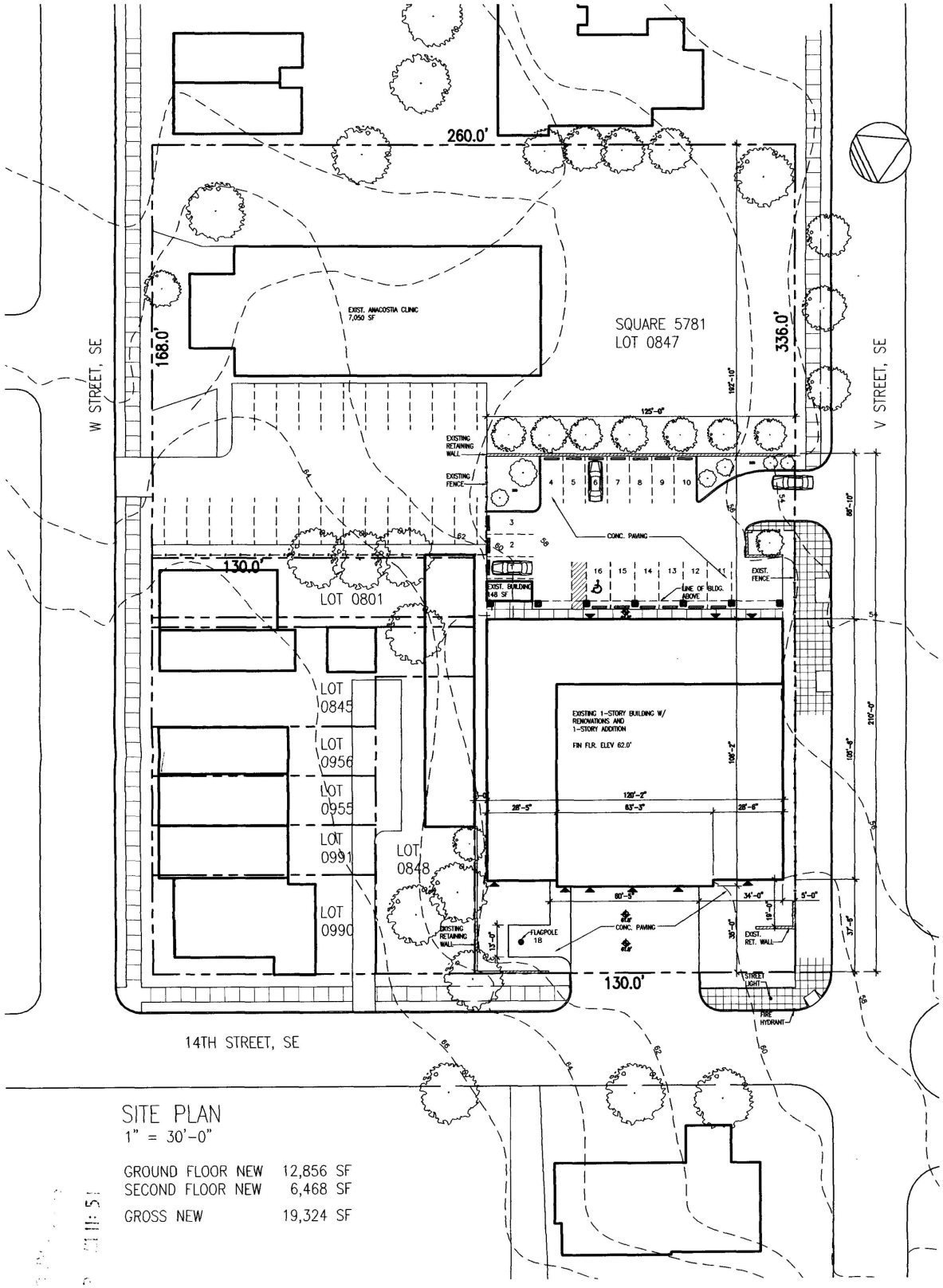
Form 135 — Side 2

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.)	**65520**	**4000**	**N/A**	**65520**	**+61520**
Lot Width (ft. to the tenth)	**130**	**40**	**N/A**	**130**	**+90**
Lot Occupancy (building area/lot	**29%**	**N/A**	**40%**	**31%**	**9%**
Floor Area Ratio (floor area/lot area)	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**
Parking Spaces (number)	**16**	**33**	**N/A**	**17**	**-16**
Loading Berths (number and size	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**
Front Yard (ft. to the tenth)	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**
Rear Yard (ft. to the tenth)	**192.8'**	**20'**	**N/A**	**192.8'**	**+172.8'**
Side Yard (ft. to the tenth)	**5'**	**8'**	**N/A**	**5'**	**-3'**
Court, Open (width by depth	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**
Court, Closed (width by depth	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**
Height (ft. to the tenth)	**18.8'**	**N/A**	**40'**	**27'**	**+8.2'**



SITE PLAN
1" = 30'-0"

GROUND FLOOR NEW	12,856 SF
SECOND FLOOR NEW	6,468 SF
GROSS NEW	19,324 SF

COMPLETE RENOVATION & MODERNIZATION OF ENGINE COMPANY 15

APPLICATION TO BOARD OF ZONING

SITE PLAN

SCALE: 1"=40'

DATE: 11-30-04

BC BAKER COOPER & ASSOCIATES, PC
4000 ALBEMARLE STREET, N.W., SUITE 300
WASHINGTON D.C. 20016