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Jerry A. Moore III (202) 344-4763 jamoore@venable.com

March 10, 2005

RECEIVED
D.C. OFFICE OF ZONING
2005 MAR 10 AM 11:59

VIA HAND DELIVERY

Jerrily R. Kress, Executive Director
D.C. Office of Zoning
441 - Fourth Street, N.W.
Suite 225 South
Washington, D.C. 20001

RE: **BZA Application No. 17316**

Dear Ms. Kress:

Please amend the above-referenced application to include an additional special exception, under Section 353 of the Zoning Regulations, as is reflected in the 20 copies of the enclosed Amended Application. It is our understanding that all applicable filing fees have been paid.

Thank you.

Sincerely,

Jerry A. Moore III

JAM/ydl

Enclosures (20)

cc: Michael Wallach

BZA
Case No. 17316
Exhibit No. 22

Board of Zoning Adjustment
District of Columbia
CASE NO. 17316
EXHIBIT NO. 22

Form 135 — Side 1
(Revised 03/15/02)

(amended)

Case No. 17316

ZONING SELF-CERTIFICATION FORM

Project Address(es)*	Square(s)*	Lot No(s)*	Zoning Districts*	ANC(s)/Single Member District(s)*
2700 R Street, S.E.	5585	812	R-5-A	7B03

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		403.2, 404.1	353, 2516.1

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.

Owners Signature		Owner's Name	Randle Highlands Man
Agent Signature		Agent Name	Jerry A. Moore III

Date*	March 9, 2005	DC Bar No.	911511	or	Architect Registration No.	

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

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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.)	15,414.70	n/a	n/a	15414.70	0
Lot Width (ft. to the tenth)	131.24	n/a	n/a	131.24	0
Lot Occupancy (building area/lot	0	n/a	40%	42%	2%
Floor Area Ratio (floor area/lot area)	n/a	n/a	.90	.84	0
Parking Spaces (number)	0	1/unit	n/a	11	0
Loading Berths (number and size	n/a	n/a	n/a	n/a	n/a
Front Yard (ft. to the tenth)	n/a	0	n/a	0	0
Rear Yard (ft. to the tenth)	n/a	20	n/a	9/88'	49%
Side Yard (ft. to the tenth)	n/a	8	n/a	9.6'	0

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)	n/a	n/a	40	29'9"	0

Print Preview | Clear Form

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

Case No. 17316

BEFORE THE BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

Amended 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)*
2700 R Street, S.E.	5585	812	R-5-A	Special Exception	3104.1, 2516.1
				Special Exception	353
				Area Variance	403.2, 404.1
				Area Variance	

Present Use of Property:*	Vacant						
Proposed Use of Property:*	11 Single Family Residential Buildings						
Owner of Property:*	Randle Highlands Manor LP			Telephone No.:*	(202)889-5100		
Address:*	2021 M. L. K. Ave., SE	City:*	Washington	State:*	District of Columbia	Zip:*	20020

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

*See attached Statement of Reasons in Support of Application

Estimated Construction Cost:	$1,200,000	Advisory Neighborhood Commission Single-Member District(s):*	7B03
Date:*	March 8, 2005	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:*	Jerry A. Moore III; Venable LLP						
Address:*	575 7th Street, N. W.	City:*	Washington	State:*	District of Columbia	Zip:*	20004
Phone No.:*	(202)344-4763	Fax No.:	(202)344-8300	E-Mail:	jamoore@venable.com		

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

Print Preview | Clear Form

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Before the
D.C. Board of Zoning Adjustment

Statement in Support of the Application of the
Randle Highlands Manor Limited Partnership

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Randle Highlands Manor Limited Partnership (hereinafter "Randle Highlands") requests relief under Sections 353, 2516.1 and 3104.1 of the D.C. Zoning Regulations for Special Exceptions to permit 11 principal single family buildings that are not detached or semidetached, on a single subdivided lot within a residence district, and area variances from Section 403.2 and 404.1, as provided by Section 3103.2 to allow a 2% increase in the maximum percentage of lot occupancy and a (average) 49% - percentage reduction in the minimum depth of rear yard in an R-5-A district at premises 2700 R Street, S.E., lot 812 in Square 5585.

Section 353 requires all new residential developments, except one family detached and semi-detached dwellings, to be reviewed by the Board of Zoning Adjustment. Section 2516.1 permits two or more residential structures to be erected on a single subdivided lot that is located in a residence district. The number of principal buildings is not limited, provided that each meets the minimum density requirements. Section 2516.4. The attached building plans demonstrate that a sufficient amount of open space, means of ingress and egress and a rear yard are provided. The area of land that forms a covenanted means of ingress and egress is not included in the area of any theoretical lot, or in any required yard. The means of vehicular ingress and egress to all buildings

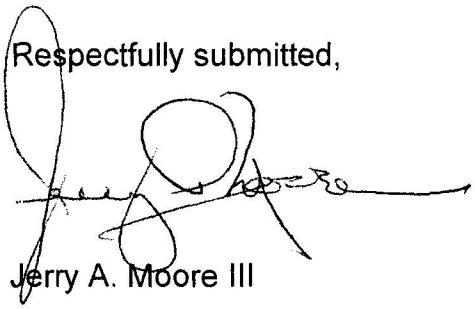
are at least 25 feet in width, provide 2 means of access to the street and a turning area with a diameter of not less than 60 feet.

The proposed development complies with the substantive provisions of Sections 353 and 2516 and will not have an adverse effect on the present character and future development of the neighborhood and is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map. There are adequate public facilities and infrastructure available.

The Comprehensive Land Use Map of the District of Columbia designates this site for row houses and multi-family garden apartments. Instead of building a multi-family structure, however, the owner has responded to the community's wish that single family housing be developed on this site. Despite being severely restrained by contour, grading and size, the site will accommodate 11 single family residences with a small (2%) variance from the lot occupancy requirement and a variance from the minimum rear yard requirement. Thus, by reasons of exceptional topographical conditions and other extraordinary conditions on the site, strict application of the lot occupancy and minimum rear yard requirements would result in peculiar and exceptional practical difficulties which can be

remedied by the requested variances without having an adverse effect to the Zoning Regulations and Map.

Respectfully submitted,



Jerry A. Moore III

Attachments