Holland Knight

Tel 202 955 3000
Fax 202 955 5564

Holland & Knight LLP
2099 Pennsylvania Avenue, N.W., Suite 100
Washington, D.C. 20006
www.hklaw.com

CHRISTOPHER H. COLLINS
202 457 7841
chris.collins@hklaw.com

October 25, 2005

VIA HAND DELIVERY

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

Re: Application No. 17377 for Variance Relief
5401-5407 9th Street, N.W. (Square 2994, Lots 23, 24 and 25)

Honorable Members of the Board:

On behalf of the applicant in the above-referenced case, enclosed please find an original and twenty copies of the applicant's prehearing submission in support of the application for variance relief. Thank you for your attention to this application.

Sincerely,

Christopher H. Collins

Enclosure

RECEIVED
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cc: Jason Saunders (w/enclosure – via UPS)
Rich Marcus (w/enclosure – via UPS)
Jennifer Steingasser, Office of Planning (w/enclosure – via UPS)
Advisory Neighborhood Commission 4D (w/enclosure – via UPS)

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BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17377
EXHIBIT NO. 24

Board of Zoning Adjustment
District of Columbia
CASE NO. 17377
EXHIBIT NO. 24

BEFORE THE BOARD
OF ZONING ADJUSTMENT
FOR THE DISTRICT OF COLUMBIA

APPLICATION OF
JEFFERSON LLC

BZA APPLICATION NO. 17377
HEARING DATE: NOVEMBER 8, 2005
ANC 4D

STATEMENT OF THE APPLICANT

I.
NATURE OF RELIEF SOUGHT

This statement is submitted on behalf of Jefferson LLC[1] (the "Applicant"), the owner of property located at 5401-5407 9th Street, N.W., Lots 23, 24 and 25 in Square 2994 (the "Site") in support of the application to the Board of Zoning Adjustment (the "Board"), pursuant to 11 DCMR Section 3103.2 for an area variance from the nonconforming structure provisions under subsection 2001.3 to allow the renovation and addition to an existing apartment house not meeting the lot occupancy (Section 403), rear yard (Section 404), and open court (Section 406) requirements in the R-4 District.

[1] The original application was filed on behalf of Jefferson LLC. However, the subject property is currently owned by BHI International, Inc., the actual party-in-interest. A letter from BHI International, Inc., authorizing the law firm of Holland & Knight LLP to represent BHI International, Inc., has been submitted to the record.

II.
JURISDICTION OF THE BOARD

The Board of Zoning Adjustment (the "Board") has jurisdiction to grant the variance relief requested herein pursuant to Section 3103.2 of the Zoning Regulations. 11 DCMR § 3103.2.

III.
EXHIBITS IN SUPPORT OF THE APPLICATION

Exhibit A:	Portion of the Baist and Sanborn Atlas plats showing the Site;
Exhibit B:	Portion of the Zoning Map showing the Site;
Exhibit C:	Architectural Plans and Drawings;
Exhibit D:	Court Elevation Drawing;
Exhibit E:	Outline of Testimony of Jason Saunders of BHI International, Inc.
Exhibit F:	Outline of Testimony of Rich Markus, Architect;
Exhibit G:	Letter of Support from ANC 4D Chairman Keith Jackson;
Exhibit H:	Petitions in Support of the Project; and
Exhibit I:	Revised Side Two of Zoning Self-Certification Form.

IV.
BACKGROUND

A. Description of the Site

The Site is located on the northeast corner of 9th and Jefferson Streets, N.W. *See* Baist and Sanborn Atlas Plats (Exhibit A). A 12-foot public alley abuts the site to the east. The site is zoned R-4. *See* Zoning Map (Exhibit B).

The site is currently improved with a three-story, 31.5 foot tall, 35-unit apartment building. The apartment building was originally constructed between 1931 and 1945. The building currently exceeds the permitted lot occupancy in the R-4 zone and includes a nonconforming open court and a nonconforming rear yard and is therefore a nonconforming structure.

B. Description of the Proposed Development

The Applicant intends to redevelop the property into a 39-unit apartment building. As shown on the Architectural Plans and Drawings attached hereto as Exhibit C, there will be a mix of one and two bedroom units. The pre-1958 building has no on-site parking. The Applicant is increasing the intensity of use by less than 25% (35 units to 39 units), and thus no additional parking is required per Section 2100.6 of the Zoning Regulations.

The Applicant also proposes to add a mezzanine level on the third floor of the building. The total area of the mezzanine level is 2,658.59 square feet, which is not more than one-third of the area of the floor immediately below (7,983 square feet) and, based upon the interpretation of the Zoning Administrator at the time the project was designed, is thus not considered a story in determining the maximum number of stories. Open rooftop terraces have been included at the mezzanine level to minimize the massing of the mezzanine level. These are private rooftop terraces for the ten third floor units, with access from the mezzanine level of each unit. The building will have a height of 40 feet, as measured from the finished grade level at

the middle of the front of the building to the ceiling of the mezzanine level of the top story, as permitted by Section 199.1 of the Zoning Regulations.

Section 2001.3 of the Zoning Regulations provides that enlargements or additions to a nonconforming structure devoted to a conforming use may be made to the structure, provided:

(a) The structure shall conform to percentage of lot occupancy requirements;

(b) The addition or enlargement itself shall:

(1) Conform to use and structure requirements; and

(2) Neither increase or extend any existing, nonconforming aspect of the structure; nor create any new nonconformity of structure and addition combined.

The Property is located in the R-4 zone, which permits a maximum percentage of lot occupancy of 40% (§403.2). However, the existing structure has a lot occupancy of 72%. There will be no change to the lot occupancy of the building as a result of this application. Thus, the Applicant seeks relief from Section 2001.3(a) since the existing structure does not conform to percentage of lot occupancy requirements.

The proposed addition of the mezzanine level at the third floor of the existing apartment house will not create any new nonconformity of structure and addition combined. However, the proposed addition will not conform to the court width requirement, and the proposed addition will increase the existing non-conformity of

the court width. Accordingly, the Applicant also seeks relief from Sections 2001.3(b)(1) and (b)(2) for the court width.[2]

The site includes a nonconforming rear yard that measures 3.67 feet, as opposed to the requirement of 20 feet. Pursuant to Section 404.4 of the Zoning Regulations, in the case of a building existing on or before May 12, 1958, an extension or addition may be made to the building into the required rear yard; provided, that the extension or addition shall be limited to that portion of the rear yard included in the building area on May 12, 1958. Thus, relief from Sections 2001.3(b)(1) and (b)(2) is not required with respect to the new construction in the rear yard.

V.
THE APPLICANT MEETS THE BURDEN OF PROOF FOR VARIANCE RELIEF

Under D.C. Code §6-641.07(g)(3) and 11 DCMR §3103.2, the Board is authorized to grant an area variance where it finds that three conditions exist:

(a) the property is unusual because of its size, shape, topography or other extraordinary or exceptional situation or condition;

(b) the owner would encounter practical difficulties if the zoning regulations were strictly applied; and

(c) the variance would not cause substantial detriment to the public good and would not substantially impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

[2] The Applicant notes that since the time of the Application, the architect has devised a method to eliminate non-conforming court number 1. Therefore, court number 2 is the only one of the three courts on the property that remains non-conforming.

See *French v. District of Columbia Board of Zoning Adjustment*, 658 A.2d 1023, 1035 (D.C. 1995) (*quoting Roumel v. District of Columbia Board of Zoning Adjustment*, 417 A.2d 405, 408 (D.C. 1980)); see also, *Capitol Hill Restoration Society, Inc. v. District of Columbia Board of Zoning Adjustment*, 534 A.2d 939 (D.C. 1987).

As discussed below, and as will be further explained at the public hearing, all three prongs of the area variance test are met in this Application.

A. The Property Is Unusual Because of its Size, Shape or Topography and is Affected by an Exceptional Situation or Condition.

The uniqueness of a building on a lot has been held to satisfy the first part of the three-part variance test. Clerics of St. Viator v. D.C. Board of Zoning Adjustment, 320 A.2d 291 (D.C. 1974) involved a use variance in order to convert an existing religious seminary to a convalescent or nursing home. The building in that case was a 12-year old modern religious seminary. This case is similar, in that the existence of a nonconforming apartment house on the Subject Property gives rise to an exceptional situation. The building was built as an apartment house between 1931 and 1945 and has been continuously occupied as such since that time. The Applicant intends to renovate, update and enhance the existing building for continued use as an apartment house into the 21st century. The building was constructed prior to 1958, and therefore it pre-dates the R-4 zone lot occupancy, court width and rear yard requirements.

As a result, the lot size bears no relation to the building size or shape as mandated in the 1958 regulations. The building's lot occupancy is 72% (7,983 square feet). The subsequent creation of the R-4 zone, and the mapping of the R-4 zone on this site, imposed a requirement of 40% maximum lot occupancy. Under that requirement, the subject site would need to have a land area of 19,957.5 square feet to comply with the current lot occupancy regulations. If the lot had an area of at least 19,957.5 square feet, the existing building would comply with the lot occupancy, rear yard and court width requirements.

As shown on the Baist and Sanborn Atlas plats attached hereto as Exhibit A, the subject lot is also exceptional in that it is the largest lot and has the largest building within Square 2994. Indeed, in the nine square block area that encompasses the subject property, there are only two other lots and buildings comparable in size to the subject lot and building. Thus, the exceptional narrowness and shallowness of the lot, combined with the existence of the nonconforming apartment building on the lot, converge to create an exceptional situation or condition.

B. Strict Application Would Result in a Practical Difficulty to the Owner

The D.C. Court of Appeals has held that, to satisfy the practical difficulty element of the area variance test, an applicant must demonstrate that "compliance with the area restriction would be unnecessarily burdensome." *Gilmartin v. District of Columbia Board of Zoning Adjustment,* 579 A.2d at 1170 (D.C. 1990). In that case, the Court noted that "the severity of the variance(s) requested;" "the weight of

the burden of strict compliance;" "the effect the proposed variance(s) would have on the overall zone plan;" and the "increased expense and inconvenience to applicants for a variance are among the proper factors for BZA's consideration." *Id.* at 1171.

a. Lot Occupancy

The strict application of Section 2001.3(a) of the Zoning Regulations would result in a practical difficulty with regard to lot occupancy. In order to meet the requirements of Section 2001.3(a), any proposed enlargement or addition to the apartment building would have to be accompanied by either (1) the expansion of the lot, or (2) the demolition of 45% of the building footprint and a loss of 45% of the existing building's gross floor area in order to bring it into compliance with the current lot occupancy requirement, so that other additions could be made.

The subject lot is bounded by a public alley, Jefferson Street and 9th Street on the east, south and west, and by private property to the north. In order to theoretically comply with the lot occupancy limitation, the Applicant would need to acquire 8,908 sq. ft. of land area to the north (Lots 26, 27 and a portion of Lot 70), and demolish two existing buildings on Lots 26 and 27, in order to be able to add the proposed mezzanines. Even if such land and buildings were available for purchase and demolition, this would constitute a practical difficulty.

The only other option to theoretically comply with the lot occupancy requirement would be to demolish a substantial portion of the building. In order to meet the 40% lot occupancy requirement, which is 4,400 square feet (11,000 x 40%), the Applicant would have to remove approximately 3,583 square feet (7,983 –

4,400), or 45%, of the existing building footprint. Removing 45% of the existing building in order to add 2,658.59 gross square feet of mezzanine floor area would constitute a practical difficulty.

b. Court Width

The strict application of Section 2001(b)(1) and (b)(2) will result in a practical difficulty with regard to court width. Section 406.1 of the Zoning Regulations provides that open courts in the R-4 zone must have a minimum width of 4 inches per foot of height of court, but not less than 10 feet. As shown on Sheet A001 of the Architectural Plans and Drawings attached hereto as Exhibit C, there are two existing open courts at the north lot line (Court 1 and Court 2) that do not comply with the court width requirements of Section 406.1. Court 2 has a width of 11.58 feet, which is less than the requirement of 15.58 feet based upon the court's height of 46.71 feet. The Applicant will eliminate the nonconforming Court 1 by constructing an extension over the court at the top of the building, out to the property line, thus eliminating this 2.25 foot wide open court. Therefore, the Applicant seeks relief from Sections 2001.3(b)(1) and (b)(2) only with respect to Court 2.

In order to comply with the court width regulations, Court 2 would need to be eliminated, or set back 4.51 feet from the edge of the roof at the mezzanine level, or the court height would need to be reduced to 34.74 feet. In order to achieve a court height of 34.74 feet, the Applicant would have to berm up the court's floor approximately 12 feet. This would require constructing a 7 foot retaining wall along

the north lot line, and filling the court with approximately 4,700 cubic feet of dirt. This would result in a practical difficulty because all four of the units on the north side of the cellar level would lose windows, and the first floor windows on the north side of the building would need to be decreased in size to accommodate the berming (*See* Exhibit D).

A second theoretical alternative would be to extend a roof over Court 2, either at the roof level of the building to eliminate Court 2 entirely, or at a height equal to the height of the berm as shown on Exhibit D, to make Court 2 comply with the court width regulations. However, in either case, this additional structure would add to the lot occupancy and create an even greater degree of nonconformity of lot occupancy.

The third theoretical option, setting the building back 4.51 feet at the mezzanine level, would result in a practical difficulty, affecting three of the four units on the north side of the third floor of the building. The unit most adversely affected by the 4.51 foot setback would be Unit 307. The setback would mean that the living room would have a jogged two-story open space. Units 308 and 309 are also adversely affected by the setback in that this will require a readjustment of the bedrooms. A 4.51 foot shift southward in the bedroom on the mezzanine level in Unit 309 will require a corresponding shift in the roof top terrace of Unit 308, and a shifting of the two-story open space of the living room in Unit 308 to accommodate the change. The second bedroom in Unit 309 would be reduced in size to the point

that it would become a walk-in closet, and the rooftop terrace for Unit 308 would be reduced in depth from 16 feet, 8 inches to 5 feet.

Setting the building back 4.51 feet at the mezzanine level along the entire north side of Court 2 would also create structural problems. The proposed mezzanine layout is structurally oriented to bear on the existing exterior and interior load bearing walls. However, setting the building back at the mezzanine level would require a large structural beam spanning east-west at 4.51 feet from the exterior wall, which would bear on the existing north-south walls at the front and rear of the building. In order to support the beam, joists would also need to be placed north-south, at intervals to be determined, resting on the north wall of the building and the south wall of the north wing of the building for the western-most 60 feet of the north wall, and resting on the north wall of the building and the south wall of the building for the eastern-most 40 feet of the north wall. As a result, the beam and joists would result in either an increase in the building height, over 40 feet, or a decrease in ceiling height on the third floor level, between the beam and joists, to accommodate the depth of these additional structural members. In sum, the strict application of the court width regulation would create a practical difficulty.

C. No Substantial Detriment to the Public Good Nor Substantial Impairment to the Intent, Purpose and Integrity of the Zone Plan

There will be no substantial detriment to the public good or substantial impairment to the intent, purpose and integrity of the zone plan by approving the

project with the existing lot occupancy and proposed court width. The Applicant is not expanding the existing footprint of the building, and is not increasing the existing percentage of lot occupancy. The proposed development will continue the residential use of the exiting building in a residential zone.

The existing nonconforming court abuts the north property line and is approximately 35 linear feet from the adjacent house to the north. The lack of a setback in the court width at the mezzanine level of the building will have no impact on that adjacent property. The R-4 zone does not require a side yard, and a building on the subject site could be built up to the north lot line at a height of 40 feet. The mezzanine level is above the height of the neighboring building to the north. This 35 foot setback, plus the current open court width of 11.58 feet, provides an abundance of open space between the existing building and the adjacent building to the north.

This will provide ample open space, above the abutting building, to satisfy the purpose of the court width requirements.

VI.
COMMUNITY SUPPORT

The Applicant has worked with the community and has obtained extensive support for the Project. The Applicant met with Advisory Neighborhood Commission 4D Chairman Keith Jackson, the ANC 4D Commissioner in whose Single Member District the Project is located, to present its project. Commissioner

Jackson sent a letter of support for the Project (Exhibit G). Petitions of support have been signed by 38 residents in the surrounding dwellings (Exhibit H).

VII.
WITNESSES

A. Jason Saunders, BHI International, Inc.

B. Rich Markus, Rich Markus Architects

VIII.
CONCLUSION

For the reasons stated above, the requested relief meets the applicable standards for variance relief under the Zoning Regulations. Accordingly, the Applicant respectfully requests that the Board grant the application.

Respectfully submitted,

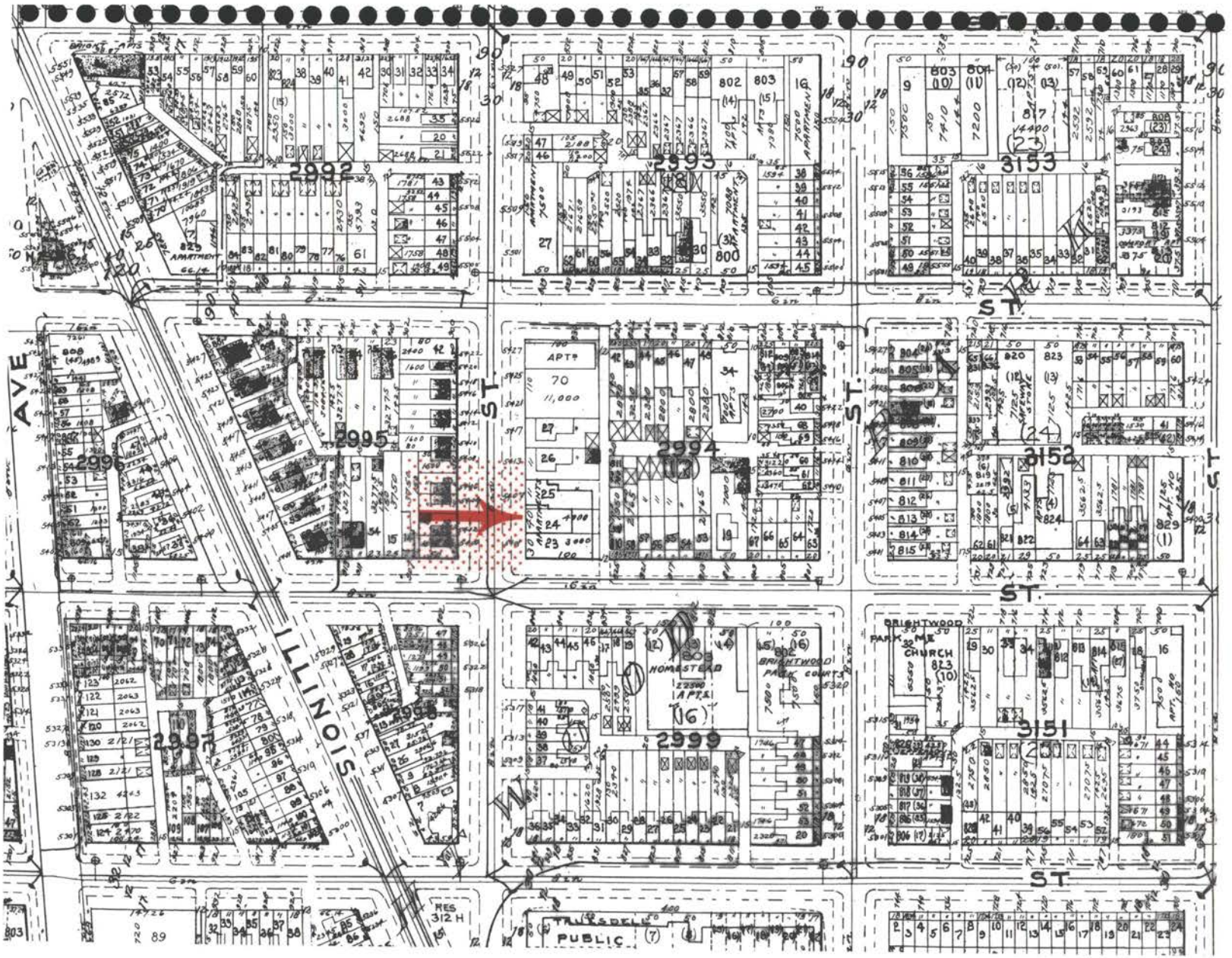
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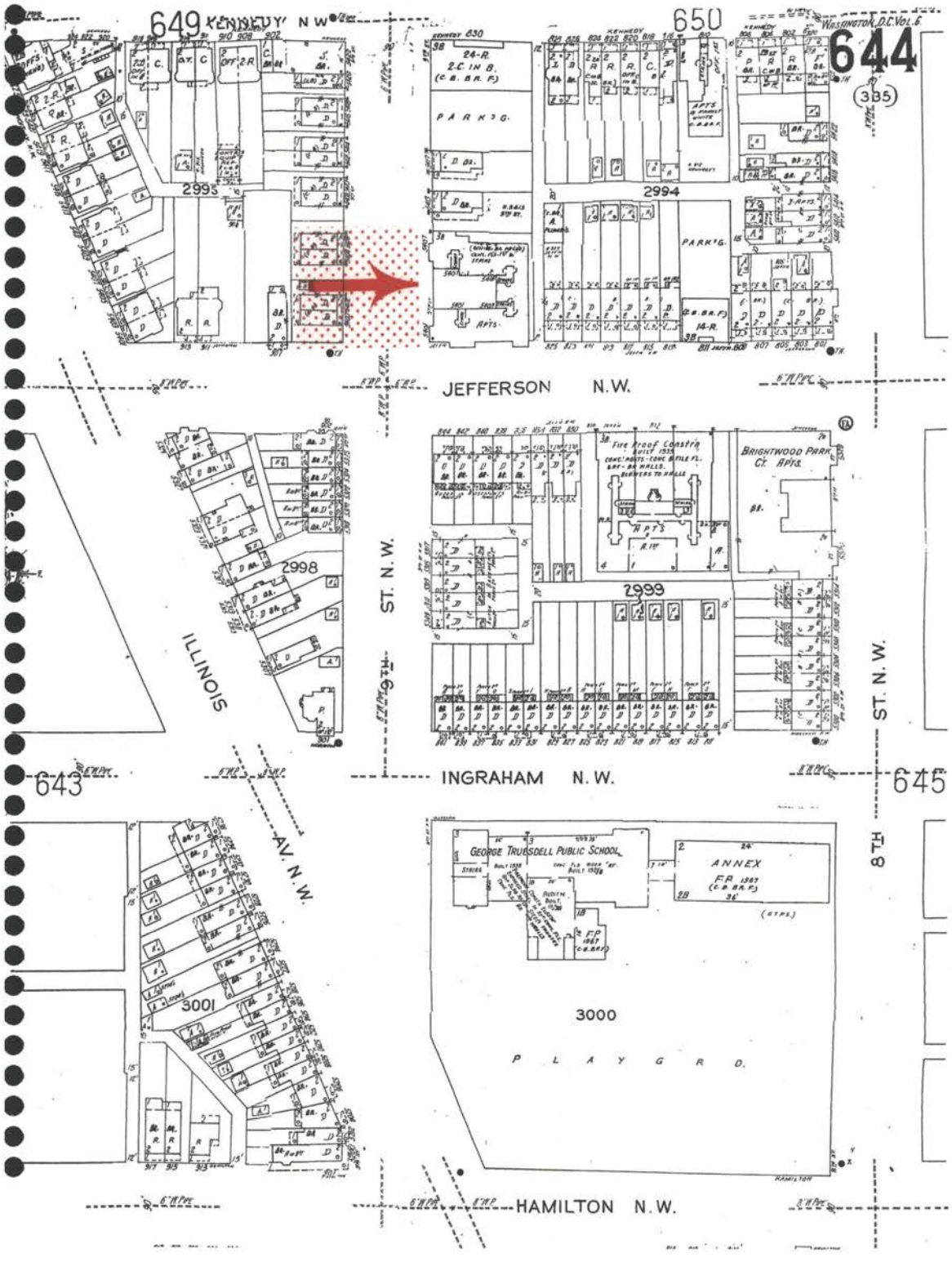
By: _____
Christopher H. Collins, Esq.

By: _____
Kyrus L. Freeman, Esq.
2099 Pennsylvania Avenue, N.W.
Suite 100
Washington, D.C. 20006
(202) 955-3000

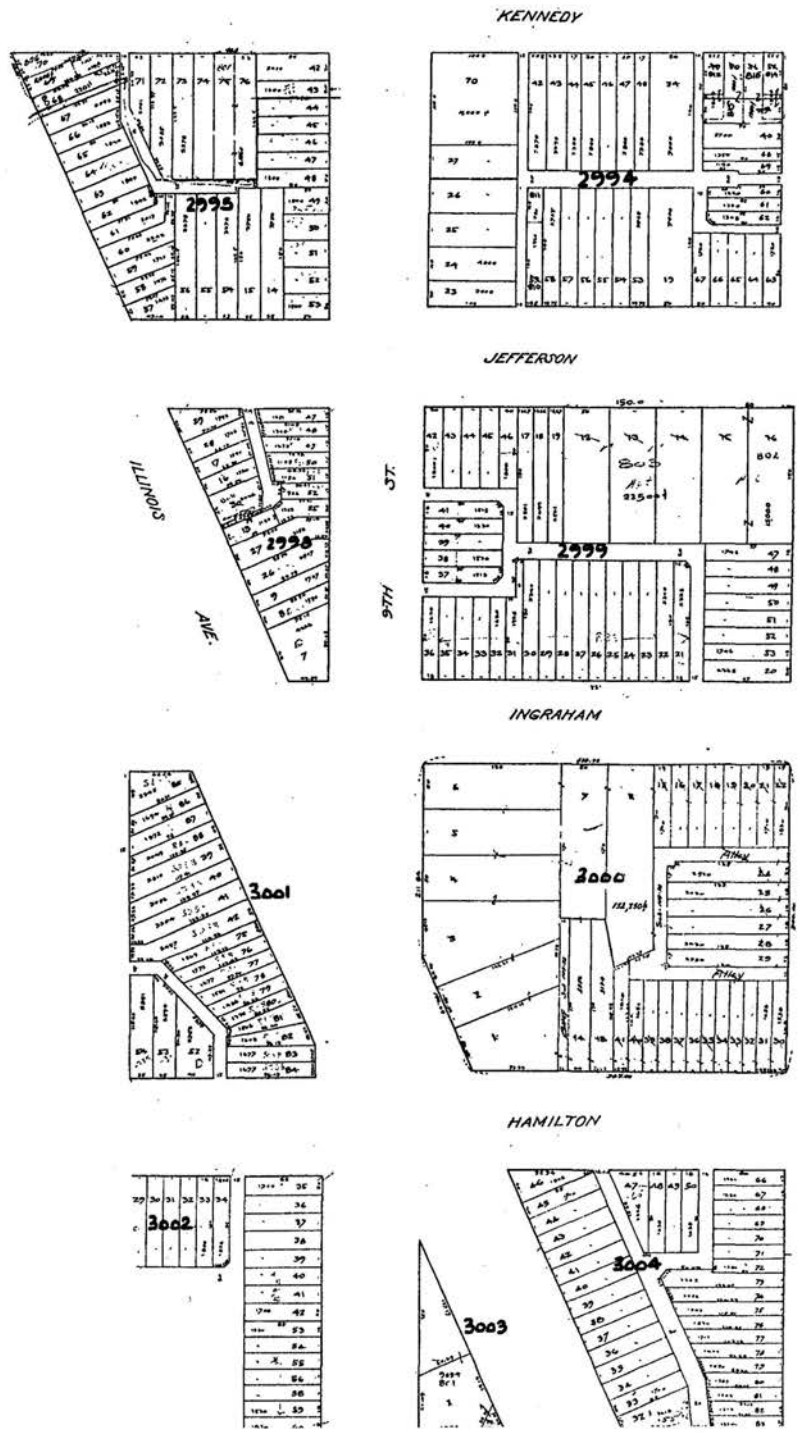
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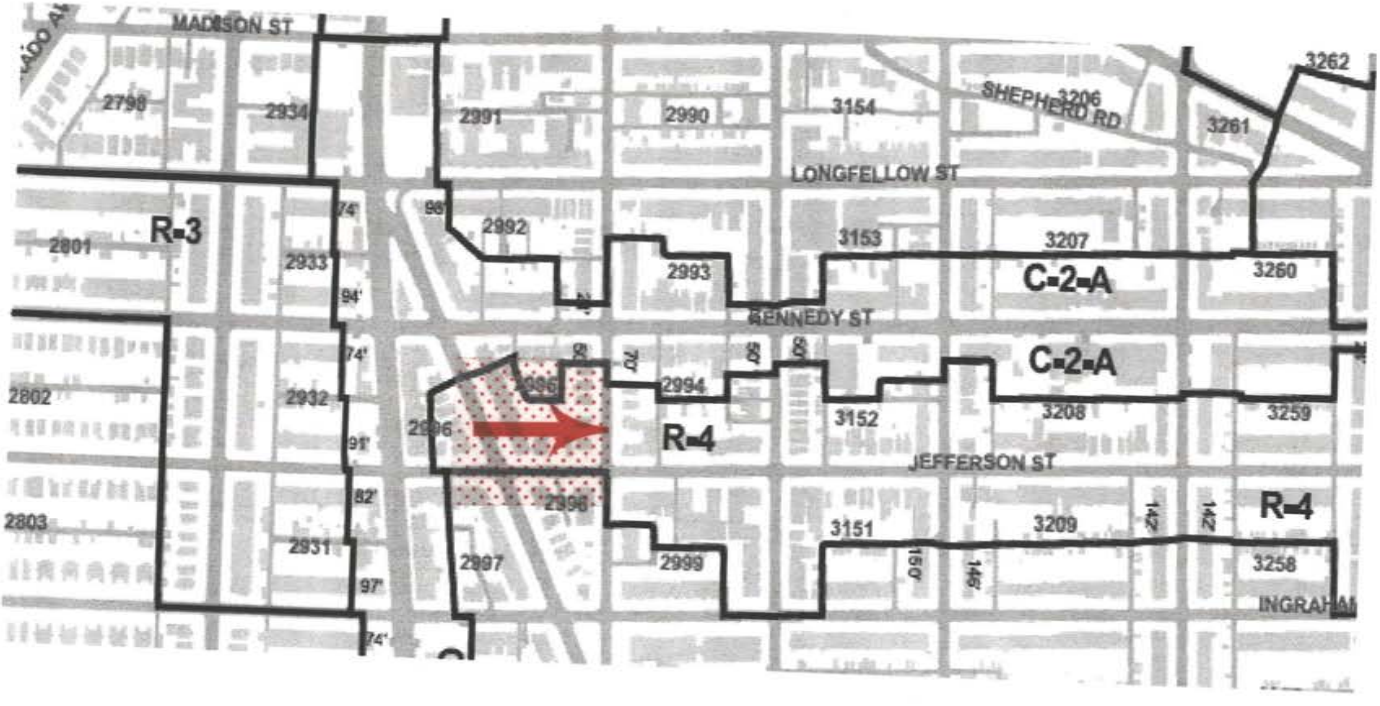

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5401-5407 9th STREET

THE JEFFERSON
WASHINGTON , DC

RICH MARKUS ARCHITECTS
3143 N STREET WASHINGTON DC 20007

BZA APPLICATION
25 OCTOBER 2005

CODE ANALYSIS

Square	2994
Lot Numbers	23, 24, 25
Zone	R-4
Category	All Other Structures

R-4 ZONE	MIN. REQ'D	MAX. PERMITTED	EXISTING	PROPOSED
Building Height - Sec. 400	-	40 ft 3 stories	31.5 ft 3 stories	40 ft. 3 stories
Minimum Lot Dimension- Sec. 401	4000 sf 40 ft	- -	11,000 sf 110 ft wide	no change
F.A.R.- Sec. 402	-	none prescribed	-	-
Percent Lot Occupancy- Sec. 403	-	40%	72%	no change
Rear Yard Setback- Sec. 404	20 ft	-	3.67 ft	no change
Side Yard- Sec. 405	none	-	none	no change
Open Court- Sec. 406	1. 14.53 ft 2. 15.58 ft 3. 14.53 ft	-	1. 2.25 ft 2. 11.58 ft 3. 33.75 ft	1. corrected 2. no change 3. no change
Parking- Sec. 2101	none	-	none	no change
Loading- Sec. 2201	none	-	none	no change
Number of Units	-	-	35	39
Gross Floor Area	-	-	23,946 sf	26,605 sf
Public Space Projection	-	-	4 bays @ 4 ft	no change

DRAWING INDEX

A000 COVER

ARCHITECTURAL

A001 SITE PLAN

A200 CELLAR PLAN
A201 FIRST FLOOR PLAN
A202 SECOND FLOOR PLAN
A203 THIRD FLOOR PLAN
A204 MEZZANINE PLAN
A205 ROOF PLAN

A300 SOUTH AND WEST FENCE ELEVATIONS
A301 SOUTH AND WEST ELEVATIONS
A302 NORTH AND EAST ELEVATIONS
A303 COURT ELEVATIONS

RICH MARKUS ARCHITECTS
3143 N STREET NW
WASHINGTON DC 20007
202.333.2733

THE JEFFERSON
5401-5407 9th STREET, NW
WASHINGTON, DC

COVER

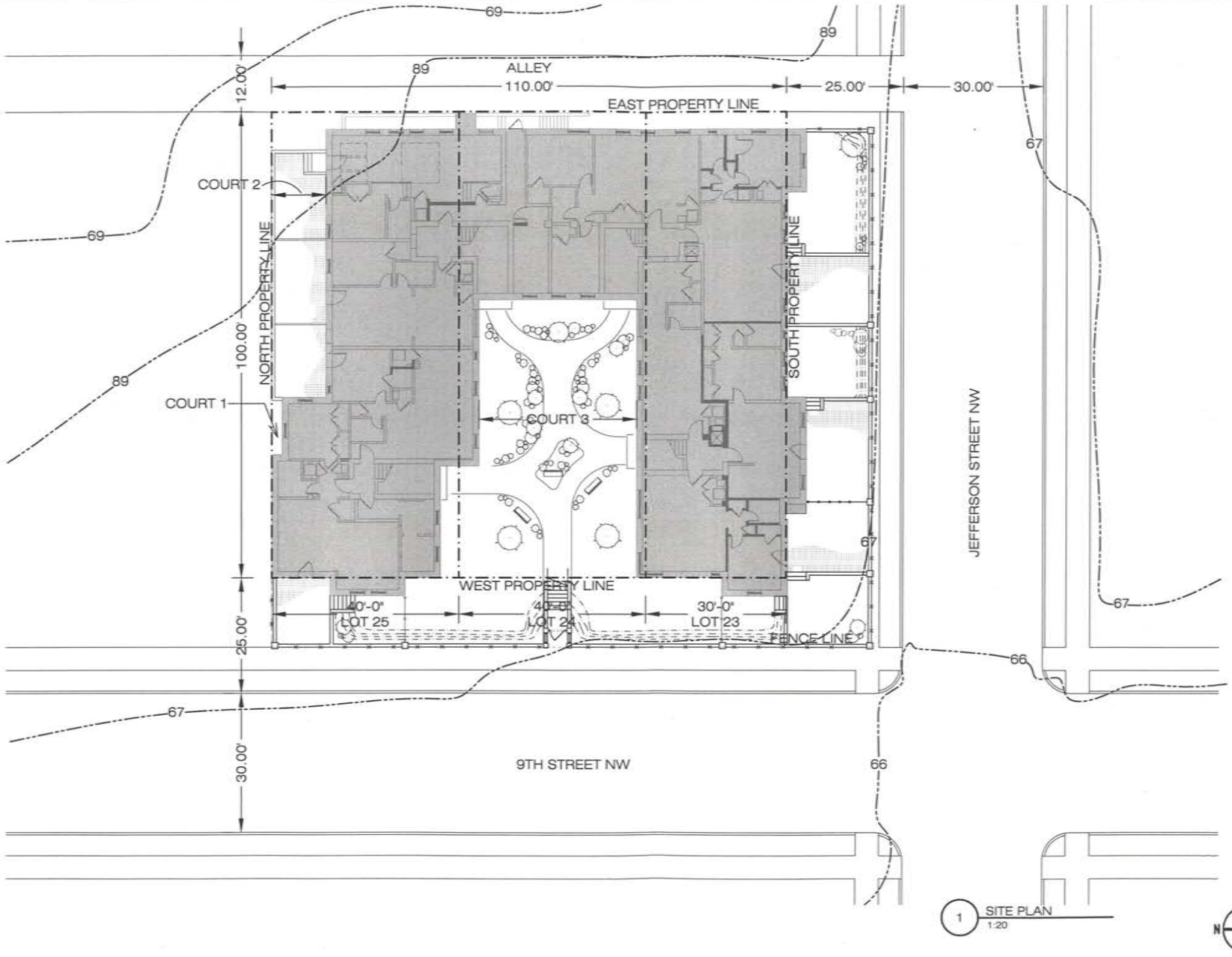
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1 SITE PLAN
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RICH MARKUS ARCHITECTS
3143 N STREET NW
WASHINGTON DC 20007
202.333.2733

THE JEFFERSON
5401-5407 9th STREET, NW
WASHINGTON, DC

SITE PLAN

REVISIONS

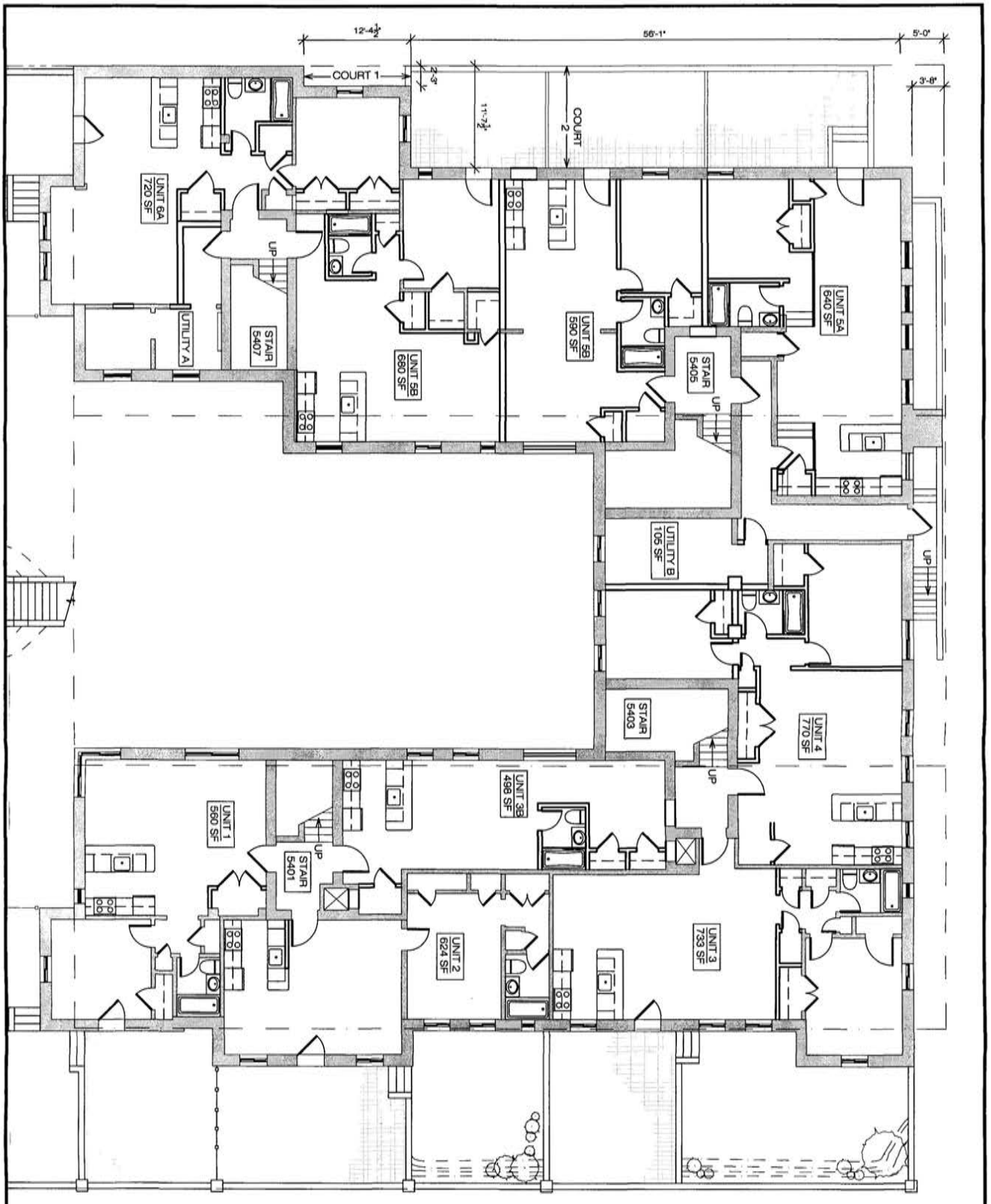
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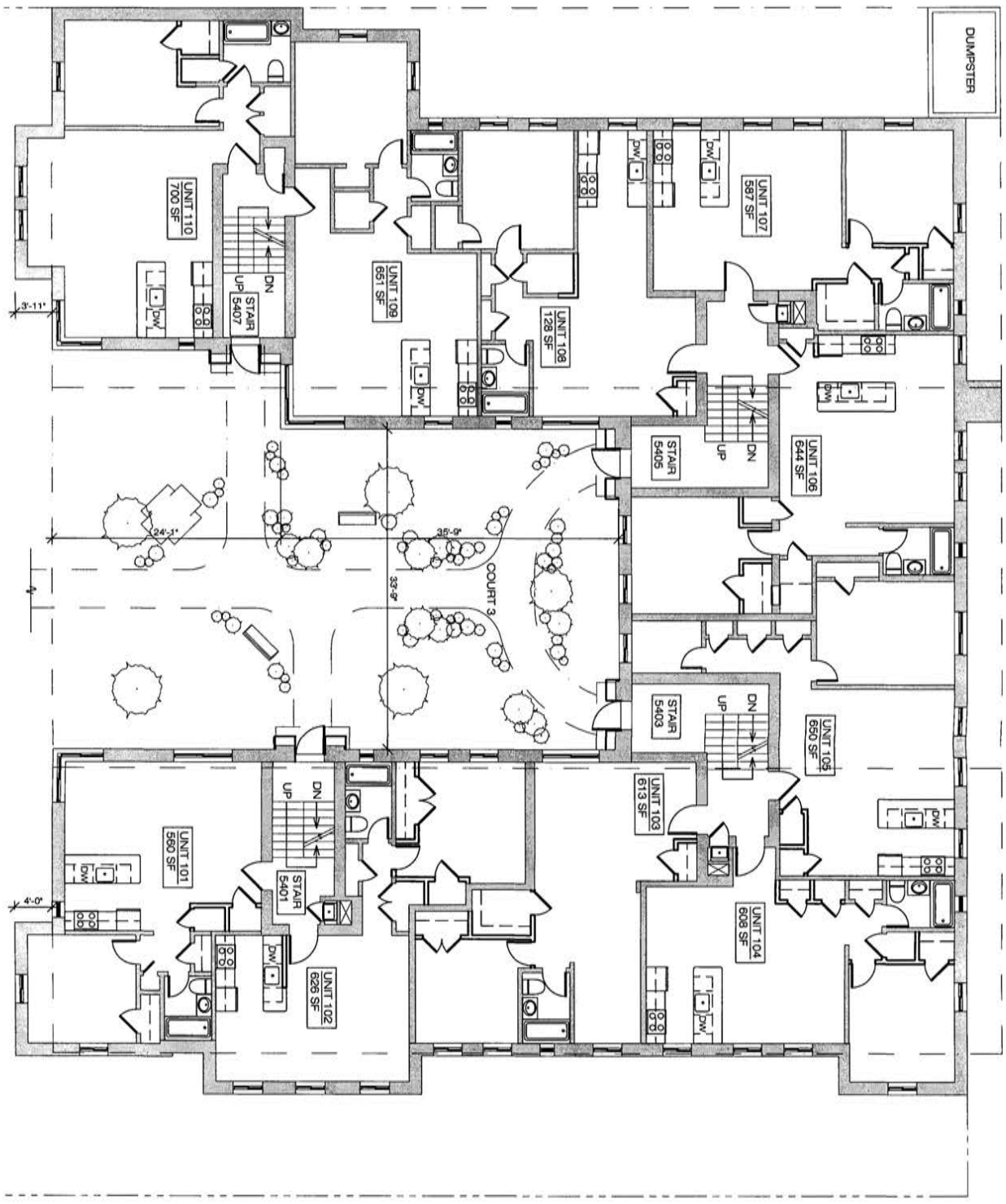
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CELLAR PLAN

THE JEFFERSON
5401-5407 9th STREET , NW
WASHINGTON, DC

RICH MARKUS ARCHITECTS
3143 N STREET NW
WASHINGTON DC 20007
202.333.2733

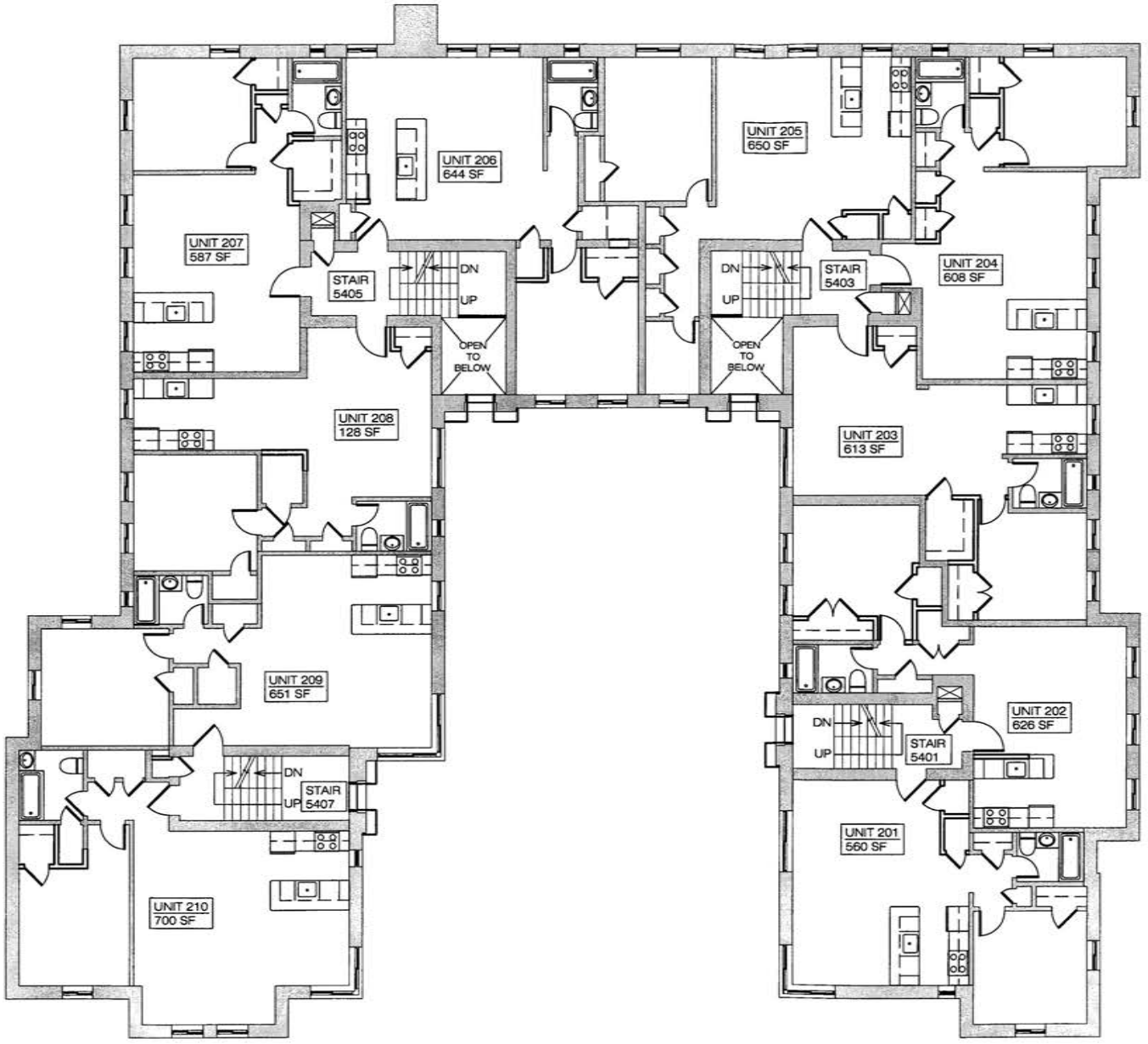
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1 FIRST FLOOR PLAN
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1 SECOND FLOOR PLAN
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RICH MARKUS ARCHITECTS
3143 N STREET NW
WASHINGTON DC 20007
202.333.2733

THE JEFFERSON
5401-5407 9th STREET, NW
WASHINGTON, DC

SECOND FLOOR PLAN

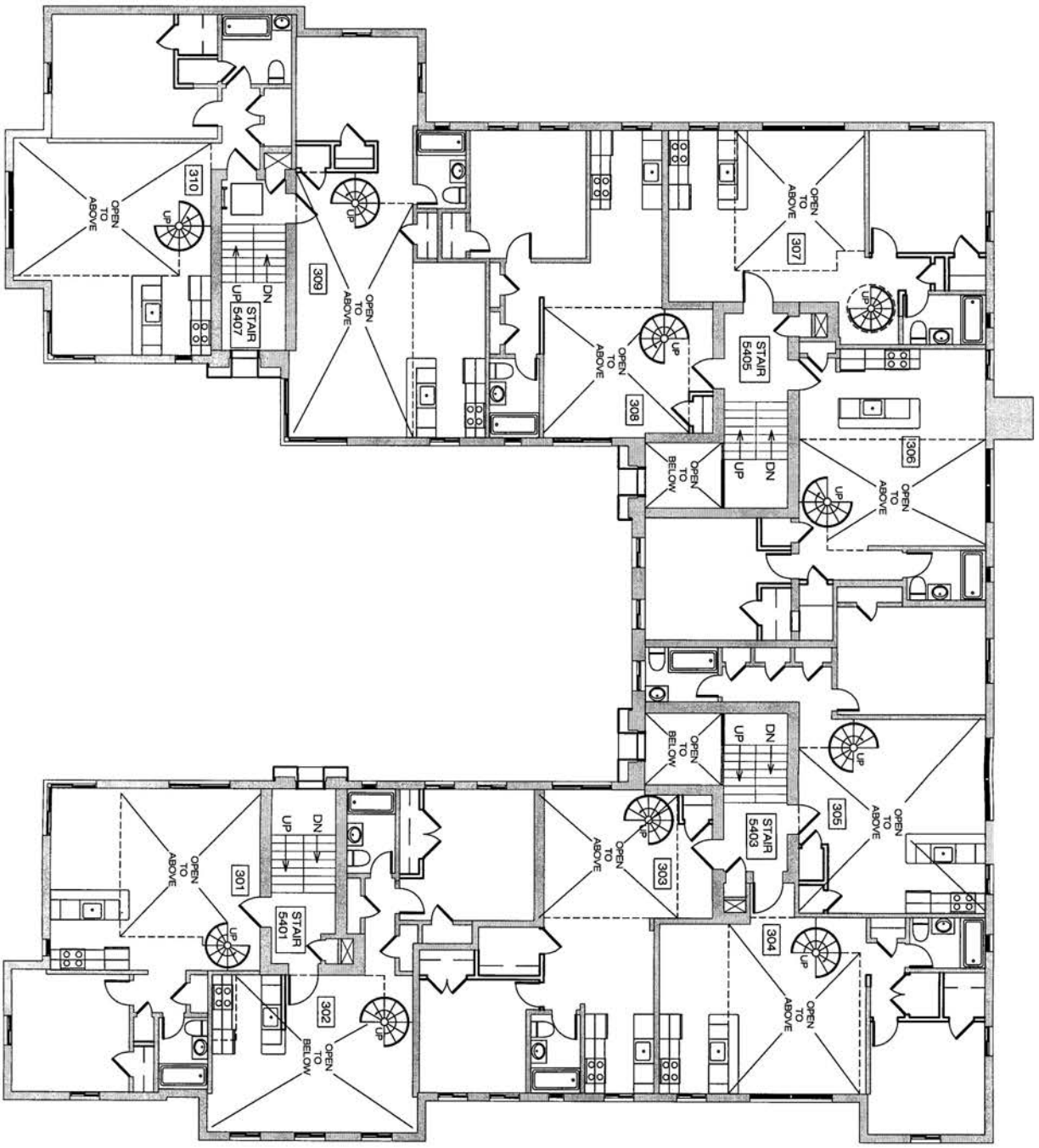
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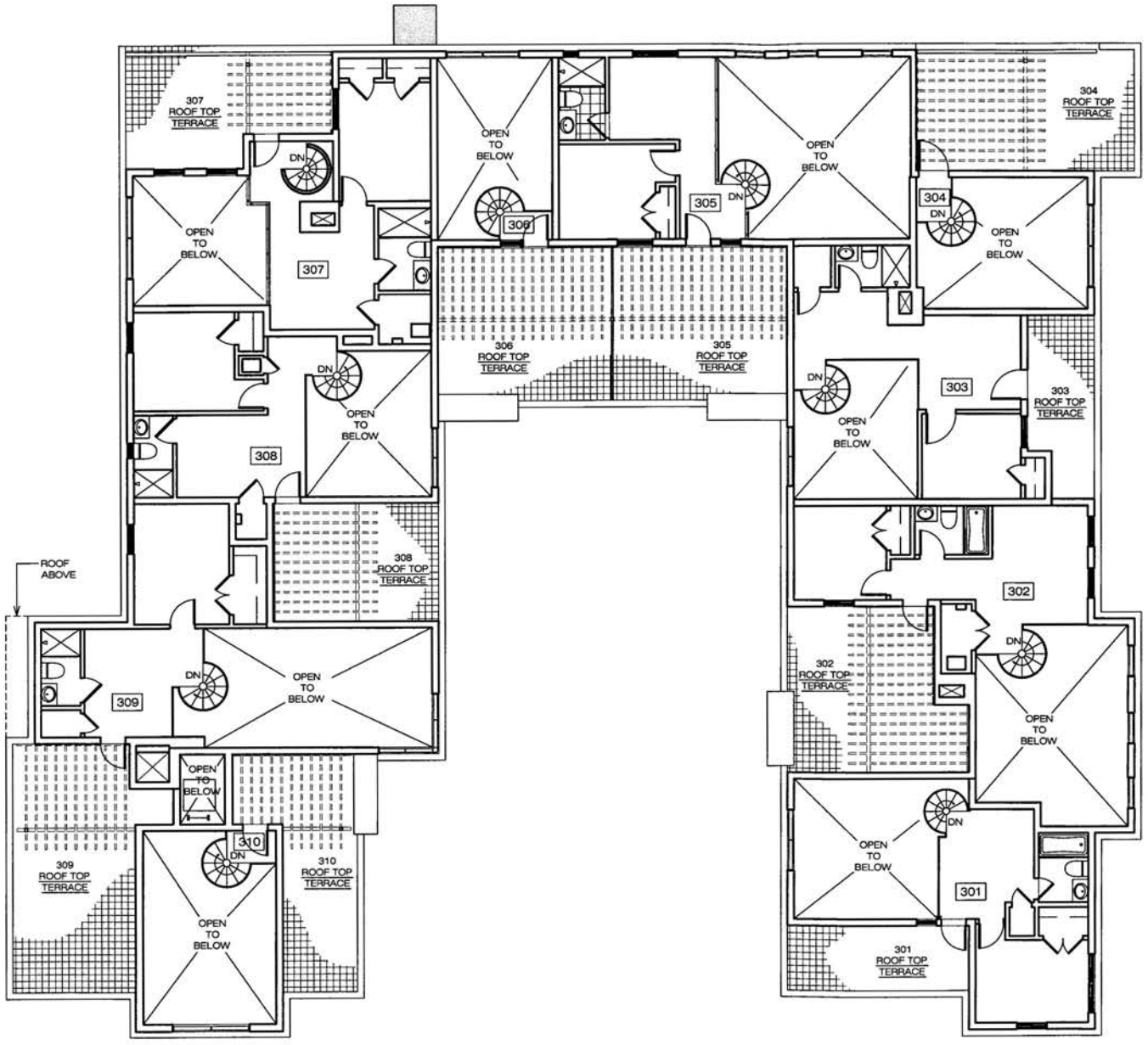
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THIRD FLOOR PLAN

THE JEFFERSON
5401-5407 9th STREET , NW
WASHINGTON, DC

RICH MARKUS ARCHITECTS
3143 N STREET NW
WASHINGTON DC 20007
202.333.2733



1 MEZZANINE PLAN
3/32" = 1'-0"

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RICH MARKUS ARCHITECTS
3143 N STREET NW
WASHINGTON DC 20007
202.333.2733

THE JEFFERSON
5401-5407 9th STREET, NW
WASHINGTON, DC

MEZZANINE PLAN

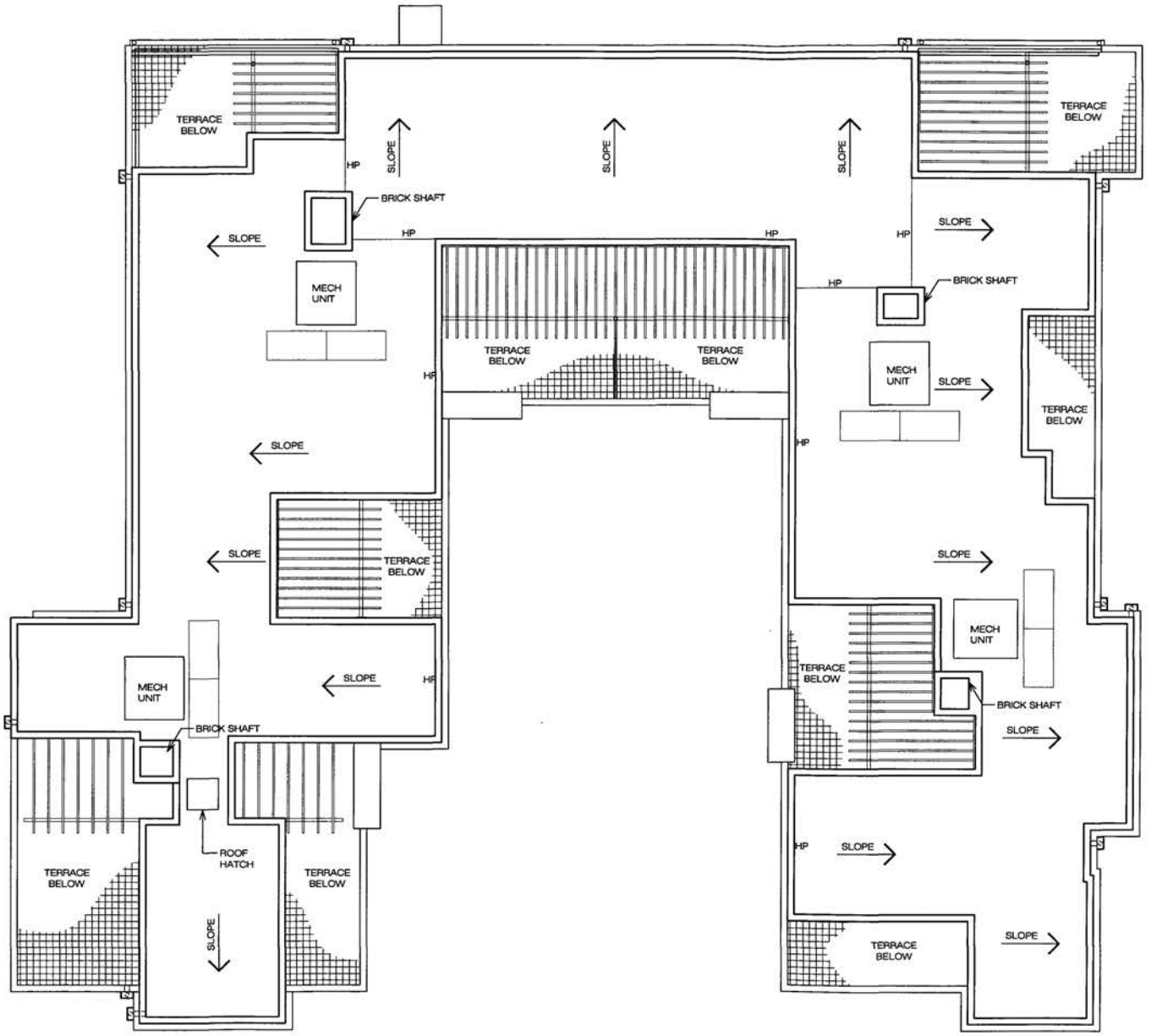
REVISIONS

SCALE: 3/32" = 1'-0"

ISSUE: 25-OCT-05

DRAWING NUMBER: A204

C:\Projects\9th Street\102005 BZA\9th Street Plans.dwg, Mezz- New, 10/24/2005 9:53:18 PM



1 ROOF PLAN
3/32" = 1'-0"

N

RICH MARKUS ARCHITECTS
3143 N STREET NW
WASHINGTON DC 20007
202.333.2733

THE JEFFERSON
5401-5407 9th STREET, NW
WASHINGTON, DC

ROOF PLAN

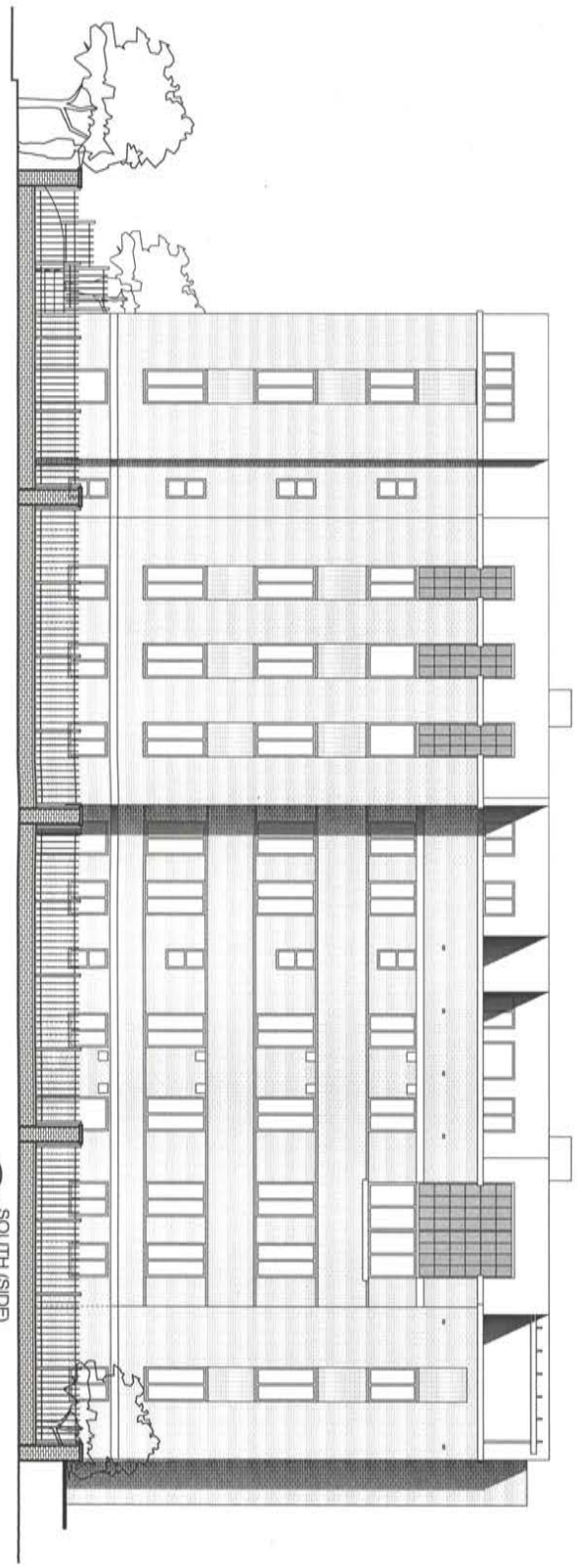
REVISIONS

3/32" = 1'-0" SCALE

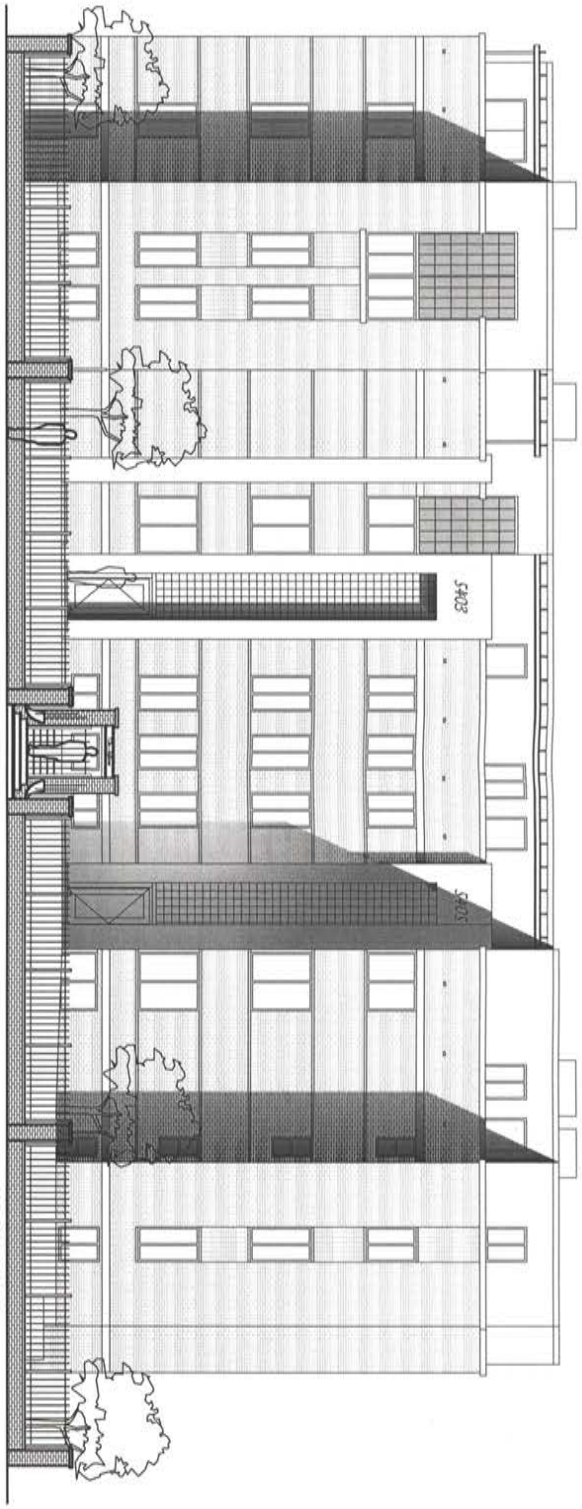
25-OCT-05 ISSUE

A205 DRAWING NUMBER

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1 SOUTH (SIDE) FENCE ELEVATION
3/32" = 1'-0"



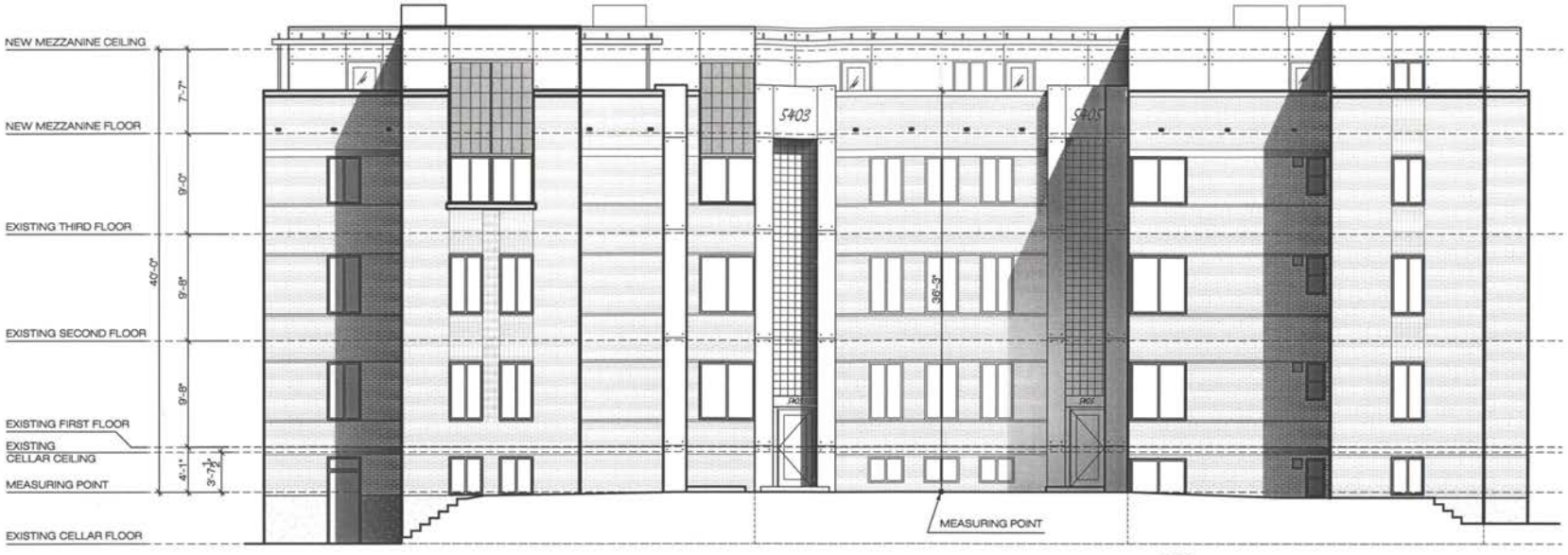
2 WEST (FRONT) FENCE ELEVATION
3/32" = 1'-0"

A300	25-OCT-05	3/32" = 1'-0"	
DRAWING NUMBER	ISSUE	SCALE	REVISIONS

SOUTH AND WEST FENCE ELEVATIONS

THE JEFFERSON
5401-5407 9th STREET , NW
WASHINGTON, DC

RICH MARKUS ARCHITECTS
3143 N STREET NW
WASHINGTON DC 20007
202.333.2733



2 WEST (FRONT) ELEVATION
3/32" = 1'-0"



1 SOUTH (SIDE) ELEVATION
3/32" = 1'-0"

RICH MARKUS ARCHITECTS
3143 N STREET NW
WASHINGTON DC 20007
202.333.2733

THE JEFFERSON
5401-5407 9th STREET, NW
WASHINGTON, DC

SOUTH AND WEST ELEVATIONS

REVISIONS

3/32" = 1'-0" SCALE

25-OCT-05 ISSUE

A301 DRAWING NUMBER

C:\Projects\9th Street\102005 BZA\9th Street Elevations.dwg, 301, 10/24/2005 9:15:17 PM



2 EAST (BACK) ELEVATION
3/32" = 1'-0"



1 NORTH (SIDE) ELEVATION
3/32" = 1'-0"

RICH MARKUS ARCHITECTS
3143 N STREET NW
WASHINGTON DC 20007
202.333.2733

THE JEFFERSON
5401-5407 9th STREET, NW
WASHINGTON, DC

NORTH AND EAST ELEVATIONS

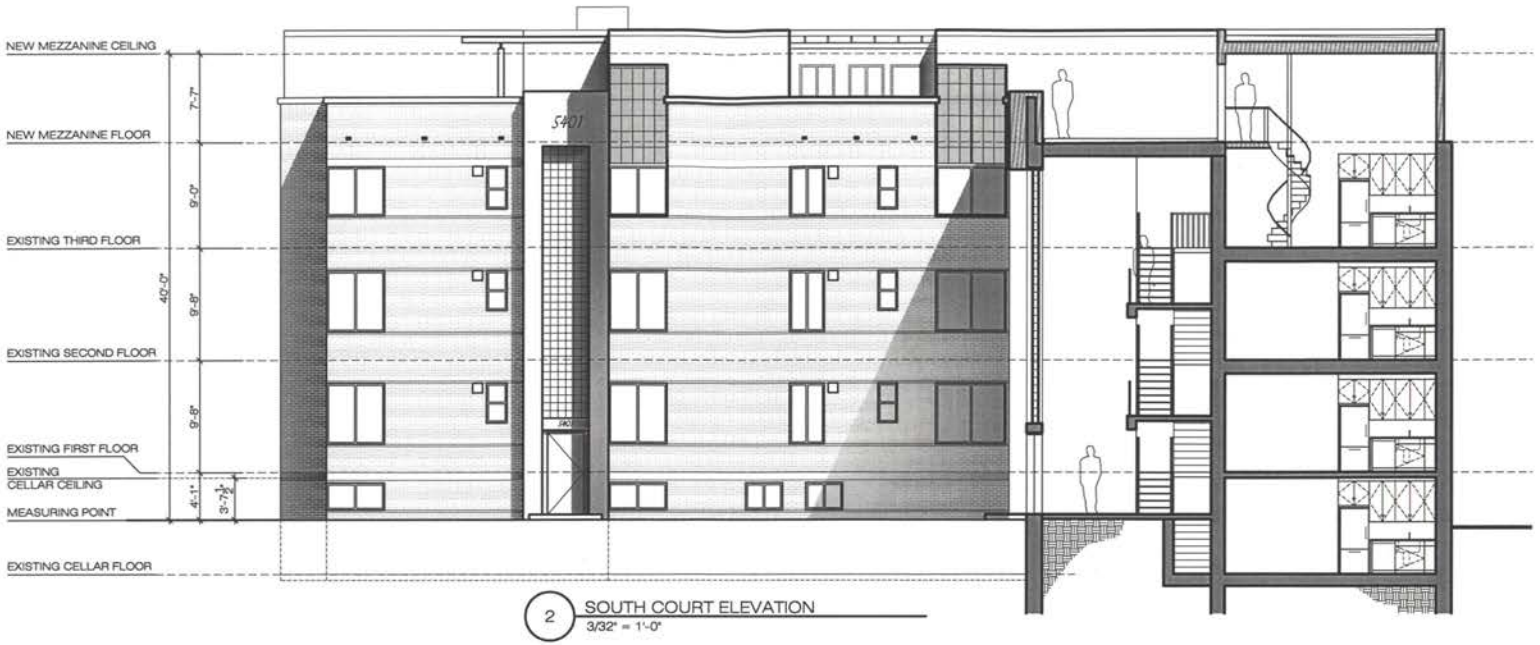
REVISIONS

SCALE: 3/32" = 1'-0"

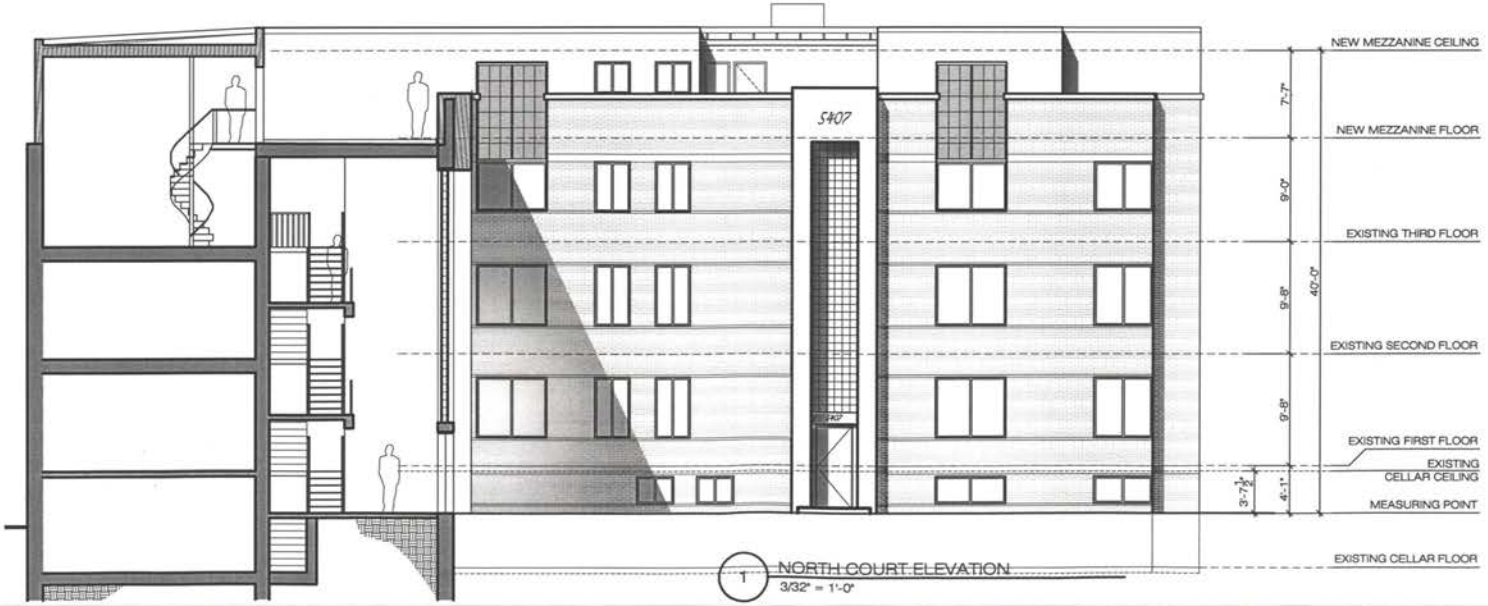
ISSUE: 25-OCT-05

DRAWING NUMBER: A302

C:\Projects\9th Street\102005 BZA\9th Street Elevations.dwg, 302, 10/24/2005 9:15:35 PM



2 SOUTH COURT ELEVATION
3/32" = 1'-0"



1 NORTH COURT ELEVATION
3/32" = 1'-0"

RICH MARKUS ARCHITECTS
3143 N STREET NW
WASHINGTON DC 20007
202.333.2733

THE JEFFERSON
5401-5407 9th STREET, NW
WASHINGTON, DC

COURT ELEVATIONS

REVISIONS

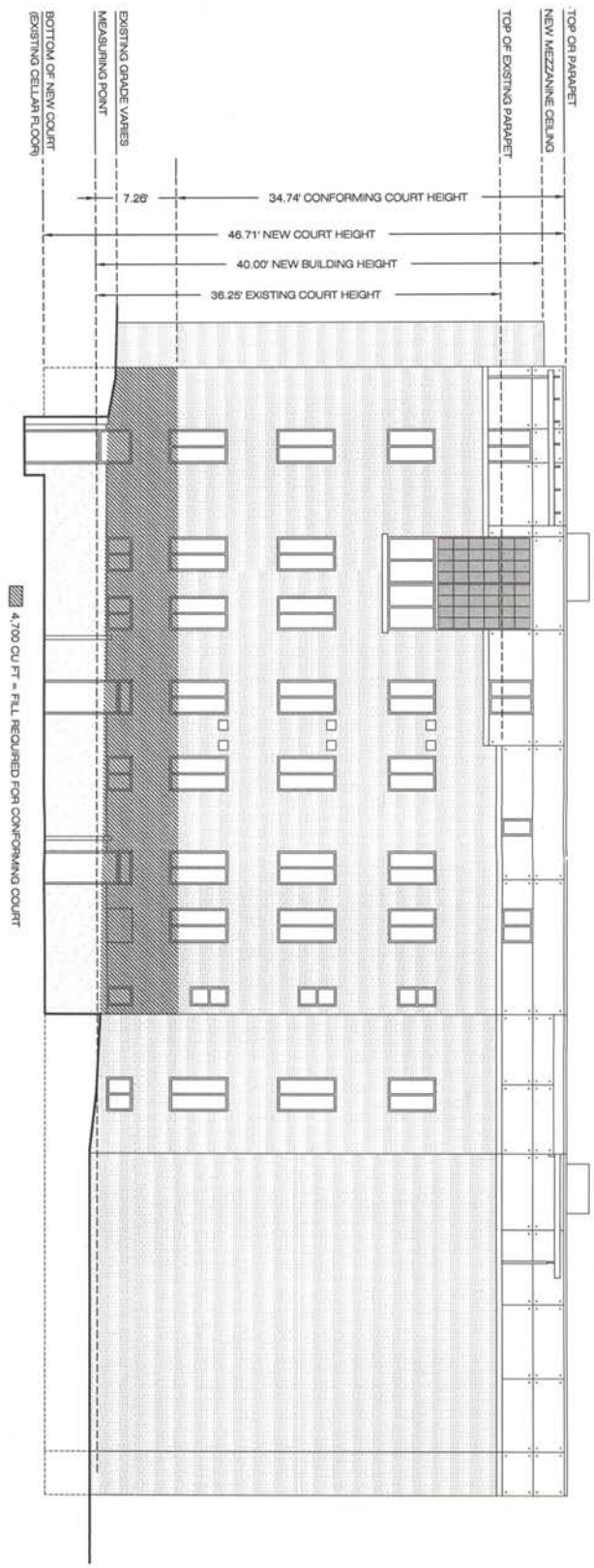
3/32" = 1'-0" SCALE

25-OCT-05 ISSUE

A303 DRAWING NUMBER

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D



1 NORTH ELEVATION @ COURT 1
3/32" = 1'-0"

A304	25-OCT-05	3/32" = 1'-0"		COURT 1 DIAGRAM	THE JEFFERSON 5401-5407 9th STREET , NW WASHINGTON, DC	RICH MARKUS ARCHITECTS 3143 N STREET NW WASHINGTON DC 20007 202.333.2733
DRAWING NUMBER	ISSUE	SCALE	REVISIONS			

E

Outline of Testimony of
Jason Saunders, BHI International, Inc.

I. Introduction

II. Description of Proposed Project

III. Community Support

IV. Conclusion

F

Outline of Testimony of
Rich Markus, Rich Marcus Architects

I. Introduction and Professional Qualifications

II. Site and Location Descriptions

III. Project Description

IV. Requested Zoning Relief

V. Conclusion

G

DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 4D
143 KENNEDY ST., N, STE. #1 WASHINGTON, DC 20011
202.722.6830

October 19, 2005

Jason Saunders
President
BHI International, Inc.
P.O. Box 1470
Washington, DC 20013-1470

Dear Mr. Saunders:

It is with great pleasure that I write this letter in support of BHI's expansion project on 9th St., NW. This project will continue to enhance a neighborhood that is growing and embracing change. Your plans to provide several two-units apartments will be a great asset for young families as well as senior adults who might want to share an apartment home.

Please feel free to contact me if I can be of any further help and/or support in your endeavors. I can be reached daily on 202.882.4301 or via email at kjackson@coverinc.org.

With every best wish, I remain.

Sincerely,

Keith A. Jackson
Advisory Neighborhood Commissioner 4D01
Chair, ANC 4D

H

1

5401 – 9th Street, N. W.
BZA Application No. 17377

The undersigned neighbors of the apartment building at 5401 – 9th Street, N. W. have had an opportunity to review the plans for a mezzanine addition at the top of the building. We have no objection to the proposed addition to the building.

	NAME (PLEASE PRINT)	ADDRESS
1	1. Helen J. Lee	832 Jefferson St. N.W.
2	2. Lillian J. CAPOTT	832 Jefferson St. N.W.
3	3. Gary Lauilhert	834 Jefferson St. NW
4	4. Theresa Miller-McLean	836 Jefferson St. NW
5	5. James McLean	836 Jefferson St NW
6	6. Rashelle Robinson	840 Jefferson St N.W.
7	Harold B. McClarine	838 Jefferson St NW
	7.	
8	8. Adriana Santos	842 Jefferson St N.W.
9	9. WENDELL JOHNSON	844 Jefferson NW
10	10. Eleanor Sanders	823 Jefferson St. NW Wash. DC 20011
11	11. H.W. Sawyer	819 Jefferson St. NW
12	12. Valerie M. Smith	819 Jefferson St. N.W.
13	13. maria Espinal	821 Jefferson St NW
14	Dolly Chas.	
14	14. 813 Jefferson St N.W.	
15	Washington D.C. 20011	
	15.	
	16.	
	17.	
	18.	

#3811453_v1

192

5401 – 9th Street, N. W.
BZA Application No. 17377

The undersigned neighbors of the apartment building at 5401 – 9th Street, N. W. have had an opportunity to review the plans for a mezzanine addition at the top of the building. We have no objection to the proposed addition to the building.

	NAME (PLEASE PRINT)	ADDRESS
1	Daisy M. Reed	5402 9th St NW DC 20011
2 1.	Carlos E. Rivas	5410 9th St NW DC 20011
3	Wayne Blount	5414 9th St NW 20011
4 2.	SINGH | MANN	900 Kennedy St. N.W. Washington 20011
5 3.	EDWARD CONSTABLE	914 Kennedy St NW Washington DC 20011
6	CAITLIN MCHARD	916 Kennedy St NW Wash DC 20011
7 4.	Kamel Bharat	923 Kennedy St NW Washington DC 20011
8	Nancy Wood	923 Kennedy St NW Washington DC 20011
9 5.	Jeffrey Kindred	912 Kennedy St NW
10 6.	Crystal Henderson	5421 Illinois Ave, NW
11 7.	Melvin Bonilla	5423 Illinois Ave NW 20011
12 8.	Petrona Trejo	5423 Illinois Ave. NW Washington 20011
13 9.	Mauricio Ramirez	5405 Illinois Ave NW Wash. DC 20011
14 10.	Conrad Harris	5403 Illinois Ave NW
15 11.	James Daggett	913 Jefferson St NW
16 12.	Pablo D'Valos	902 Jefferson ST NW Washington
17	Miguel Salazar	5326 9th St NW
18 13.		
19	Christopher + Cynthia Carty	825 Jefferson St. NW
14.		Washington DC 20011
	15.	
	16.	
	17.	
	18.	

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5401 – 9th Street, N. W.
BZA Application No. 17377

P 3

The undersigned neighbors of the apartment building at 5401 – 9th Street, N. W. have had an opportunity to review the plans for a mezzanine addition at the top of the building. We have no objection to the proposed addition to the building.

	NAME (PLEASE PRINT)	ADDRESS
1.	Bernard Baylor	5400 – 9th St. N.W.
2.	Doreen R. King	5417 – 9th St NW
3.	[illegible]	5415 – 9th St
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#3511153_v1

Pg 4

5401 – 9th Street, N. W.
BZA Application No. 17377

The undersigned neighbors of the apartment building at 5401 – 9th Street, N. W. have had an opportunity to review the plans for a mezzanine addition at the top of the building. We have no objection to the proposed addition to the building.

	NAME (PLEASE PRINT)	ADDRESS
1.	J. C. Cooke Sr.	835 Kennedy St NW
2.		
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9.		
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I

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.)	11,000 sf.	4,000 sf.	–	no change	
Lot Width (ft. to the tenth)	110 ft.	40 ft.	–	no change	
Lot Occupancy (building area/lot area)	72%	–	40%	no change	
Floor Area Ratio (FAR) (floor area/lot area)	23,946 gross floor area	–	none prescribed	26,605 gross floor area	
Parking Spaces (number)	none	none	–	no change	
Loading Berths (number and size in ft.)	none	none	–	no change	
Front Yard (ft. to the tenth)	–	–	–	–	
Rear Yard (ft. to the tenth)	3.67 ft.	20 ft.	–	no change	
Side Yard (ft. to the tenth)	none	none	–	no change	
Court, Open (width by depth in ft.)	1) 2.25 ft. 2) 11.58 ft. 3) 33.75 ft.	1) 14.53 ft. 2) 15.58 ft. 3) 14.53 ft.	–	1) corrected 2) no change 3) no change	1) none 2) 4.0 ft 3) none
Court, Closed (width by depth in ft.)	–	–	–	–	
Height (ft. to the tenth)	31.5 ft	–	40 ft.	40 ft.	