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October 1, 2026

VIA IZIS

Board of Zoning Adjustment
of the District of Columbia
441 4th Street, NW, Suite 210-S
Washington, DC 20001

**Re: Request for Modification With Hearing to Modify BZA Order No. 19607
Proper Shaw Café, LLC
1545 New Jersey Avenue, NW (Lot 800, Square 510-E)**

Dear Members of the Board:

On behalf of 1535 NJA LLC (“Owner”), the owner of property located at 1545 New Jersey Avenue, NW and known as Lot 800 in Square 510-E (the “Property”) and Proper Shaw Café, LLC (the “Applicant”), the owner and operator of Proper Café at the Property, the Applicant hereby submits this application for a Modification With Hearing pursuant to Subtitle Y § 704.1 et seq. for a modification to the plans and conditions approved pursuant to BZA Order No. 19607. Additionally, pursuant to Subtitle X § 1000.1, the Applicant is requesting an extension/expansion of the approved use variance under Subtitle U § 301, to allow the operation of an outdoor seating area for the existing full-service restaurant in the RF-1 zone at the Property.

Pursuant to Subtitle Y §§ 300.8 and 704, please find enclosed the following materials:

- Letter from the Owner authorizing the Applicant and Holland & Knight LLP to file and process the subject application;
- Letter from the Applicant authorizing Holland & Knight LLP to file and process the subject application;
- Completed BZA Form 152 – Modification With Hearing (filed concurrently with IZIS upload);
- BZA Referral Memo from Department of Buildings;
- Copy of BZA Order No. 19607;
- A copy of the certificate of occupancy showing the current authorized use(s) on the Property;

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- Surveyor's plat showing the boundaries and dimensions of the existing improvements and outdoor seating area at the Property;
- Plans showing the existing site plan and outdoor seating area (the "Plans");
- Photographs of existing outdoor seating area;
- Statement in Support of the application that: (1) addresses the nature of, reasons, and grounds for the requested Modification With Hearing; (2) explains how the application satisfies each element of the review standards for the requested relief; and (3) describes the efforts that have been made to apprise the affected ANC concerning the application and the outreach efforts the applicant plans to undertake accompanied by a pledge to supplement the record regarding any outreach efforts at least 21 days before the public hearing;
- Statement of existing and intended use of the Property;
- The name and address of each person having a lease with the owner for all or part of any structure located on the property involved in the application;
- A written summary of the testimony of all witnesses;
- The name and mailing address of the owners of all property located within 200 feet of the Property (two sets of mailing labels to be provided to the Office of Zoning separately);
- Certificate of Service demonstrating that the Office of Planning, Advisory Neighborhood Commission 5E, and Advisory Neighborhood Commission 2G have been provided a copy of the subject application; and
- Certificate of Proficiency demonstrating that undersigned counsel is able represent the Applicant in this case.

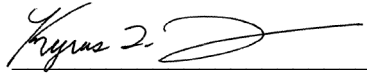
Upon filing, the Applicant will provide the Office of Zoning a check in the amount of \$1,418.56, made payable to the D.C. Treasurer, reflecting the applicable filing fee pursuant to Subtitle Y §§ 1600.1(c) and 1600.1(e).¹

¹ Pursuant to Subtitle Y § 1600.1(c), the filing fee for the variance request is \$1,040. Under Subtitle Y § 1600.1(e), the filing fee for the modification is 26% of the original filing fee. The original filing fee for BZA Case No. 19607 was indicated as \$1,456 (*see* Ex. 2 and 13), resulting in a modification fee of \$378.56 and a total filing fee of \$1,418.56.

We appreciate the Board's consideration of this application, and respectfully request that the Office of Zoning schedule the application for public hearing on the next available date.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: 
Kyrus L. Freeman

cc: Certificate of Service

Encl.

Certificate of Service

I hereby certify that on October 1, 2026, a copy of the foregoing correspondence and application to the Board of Zoning Adjustment requesting a Modification With Hearing and use variance, together with the supporting documentation, was served by electronic mail on the following recipient at the addresses listed below.

DC Office of Planning

Maxine Brown-Roberts

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District Department of Transportation

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By: 
Kyrus L. Freeman