GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



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Office of the Director

Memorandum

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director
Office of Planning

DATE: April 23, 2002

SUBJECT: BZA Application #16869 (Kings Creek, LLC)
2329 Champlain Street, N.W. (Square 2566, Lot 103)

BZA
Case No. 16869
Exhibit No. 23

APPLICATION

The application by Kings Creek, LLC (Applicant) requests, pursuant to 11 DCMR 3103.2, area variances from the provision of §402 to increase the allowable floor area ratio (FAR); §403, from the lot occupancy requirements; §2001.3 to expand a nonconforming structure and a special exception to exceed the height provision of §1402 of the Reed-Cooke Overlay in order to construct an addition to an existing building for a mixed-use development in the RC/R-5-B District.

SUMMARY RECOMMENDATION

The Office of Planning (OP) has concerns regarding the large increase in height over that permitted by the Reed-Cooke Overly and is in conversations with the applicant and will try to have this issue addressed. OP will submit a supplemental report to the Board with our recommendation prior to the public hearing.

SITE AND AREA DESCRIPTION

The subject property, 2329 Champlain Street, N.W. (Square 2563, Lot 103), is in the area generally bounded by Kalorama Road on the south, Ontario Road on the east, Euclid Street on the north, and 18th Street on the west. The site was developed in 1924 with a 2-story, granite building and has had uses such as office, garage, warehouse, and retail. The building currently houses retail use on the first floor, The Brass Knob, and the second floor is currently vacant but was formerly used as an office and storage.

The subject site is in the Reed-Cook neighborhood and is surrounded by a variety of uses but predominantly residential uses. Immediately north of the site is a small, 2-story building that has a plating, polishing, and repair store. Further north is a parking lot, row houses, and apartment

ZONING COMMISSION
District of Columbia
CASE NO.02-37
EXHIBIT NO.1A2

buildings, some of which are between 5 and 7 stories. To the east of the site is a 15-foot wide alley. Beyond the alley are row houses some of which are residential and some have commercial uses. Immediately south of the site is a vacant one-story brick building, a parking lot, a grocery store, and two vehicular repair establishments. Directly east of the site is a mixed-use development that is under construction, The Lofts of Adams Morgan, that was approved for a 325-350 parking garage, 44-80 residential units, and 4,000 square feet of retail space (ZC Order 832). This development is close to being completed and will be accessed from both 18th and Champlain Streets.

PROPOSAL

The applicant proposes a mixed-use development on the site. The existing building will be retained and four additional levels of with 13 residential apartments added. The existing retail use on the first floor will be retained while the second floor will be renovated for parking and residential use. The Applicant has an agreement with ANC-1C that at least one unit will be an "affordable" unit.

ZONING REQUIREMENTS

The subject site has a base zoning of R-5-B and is within the Reed-Cooke Overlay District (RC). The R-5 Districts are designed to permit flexibility for all types of urban residential developments along with those institutional and semi-public buildings that are compatible with adjoining residential uses. The R-5-B District permits developments of a moderate height and density. Generally, the purpose of the RC District is designed to protect existing housing, provide for new development, and encourage small-scale business development that does not affect the residential uses. This districts limits the heights of buildings in the R-5-B District to 40 feet. The R-5-B requirements and how the proposal meets them are outlined below in Table 1.

Table 1

Item	Existing	Required/Allowed	Provided	Variance/SE
Lot Area	9,652 sf.	N/A	9,652 sf.	N/A
Lot Width	83.2 ft.	N/A	83.2 ft.	
Lot Occupancy	97.3%	60%	97.3%	37.3%
FAR	1.9	1.8	3.9	-2.1 FAR or **116%**
Parking Spaces	0	7	13	N/A
Height	31.5 ft.	50 ft. (40 ft. max in the RC District).	69.6 ft.	29.6 ft. or **74%.**

ANALYSIS

The Reed Cook Overlay District, adopted May 29, 1987 and amended April 26, 1991 (Zoning Commission Orders 523 and 523A), was to implement the objectives of the Reed-Cook Special Treatment Area of the Comprehensive Plan. At that time, the area was predominantly zoned R-5-B and C-M-2. There were many residential properties that were in the C-M-2 zones and many residences were being converted to commercial uses. Residents of the area felt threatened and feared that they were losing their community. The overlay was adopted to protect these residences and introduce additional residences with community serving retail uses.

Prior to the adoption of the Reed-Cooke Overlay District, the subject property was in the C-M-2 District and became a nonconforming structure as to lot occupancy and FAR when the zoning was changed to R-5-B.

The proposed development will retain the existing 18,401 square feet building. The improvement will add 19,539 square feet of space for a total of 37,940 square feet in the entire development. The applicant has recently signed a long-term lease that will retain the existing retail use on the ground floor. Due to the topography of the site, the parking lot is on the second floor as seen from the front but on the first floor on a portion of the rear of the building. The main entrance into the residential portion of the building will be from an entrance on Champlain Street that was formerly used as an access to the second floor. The residential addition will have 4 one-bedroom units and 9 two-bedroom units. On the second floor will be 13 parking spaces, one for each unit. Each unit will have a private open space area and there will also be common open space areas.

Variances

Lot Occupancy

Section 403.2 of the Zoning Regulations allows a maximum lot occupancy of 60% for developments in the R-5-B District. The existing building has a lot occupancy of 97.2 % which is nearly the entire lot. The proposed addition will be entirely on top of the existing building and therefore the lot occupancy will not be increased.

The standard by which the BZA should approve a variance is set forth in Section 3103.2 of the Zoning Regulations. The following demonstrates how these standards are met:

> **The property is unique by reason of its exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation or condition;**

The subject property is unique due to an exceptional situation as it was originally developed over 78-years ago as an industrial/commercial building under the yard requirements of those zones. Since then, the zoning of the property has changed to a residential zone and became a nonconforming structure that does not meet the lot occupancy and FAR requirements of this residential zone.

By reason of the aforementioned unique or exceptional condition of the property, the strict application of the Zoning Regulations will result in peculiar and exceptional practical difficulties or to exceptional and undue hardship upon the owner of the property.

If the building were required to meet the lot occupancy requirement, it would be a practical difficulty, as it would require demolishing the building and reconstructing a new building. The building structure is sound and the building has a history in the community and adds to the variety of architectural styles in the Reed-Cooke area. The addition does not extend the non-conformity of the structure with respect to lot occupancy.

The variance will not cause substantial detriment to the public good and will not impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Retaining the existing lot occupancy of the building will not be detrimental to the public good as it has existed in this manner for over 50-years and has not been a problem. The lot occupancy requirement is aimed at providing light and air to all buildings. Many of the buildings in the area have lot occupancies of 100% and do not have a problem with light and air. Retaining the existing building with retail use and adding residential uses will be consistent with the goal of the Comprehensive Plan to encourage residential and retail developments in order to increase the number of residents and community retail uses within the Reed-Cooke area.

FAR and Expanding a Non-Conforming Structure

The existing building has a FAR of 1.9 and the maximum allowable FAR in the R-5-B District is 1.8. As with the lot occupancy requirement, the building became nonconforming as to FAR when the zoning on the property was changed by the Reed-Cooke Overlay. Because the proposal is to retain the existing building and add the residential portion the FAR naturally increases. Therefore, a variance from the maximum FAR in the R-5-B District and a variance for increasing a nonconforming structure are required as outlined in Section 2001.3 of the Zoning Regulations:

"(c) The addition or enlargement itself shall not increase or extend any existing, nonconforming aspect of the structure, and shall not create any new nonconformity of structure and addition combined."

The proposal meets the requirements for a variance as follows:

The property is unique by reason of its exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation or condition;

The subject property is unique as it was previously an industrial/commercial building built under those standards and became a nonconforming structure as a result of the Reed-Cooke Overlay.

Since the building already exceeds the maximum FAR permitted, any enlargement will only enlarge the nonconformity.

> **By reason of the aforementioned unique or exceptional condition of the property, the strict application of the Zoning Regulations will result in peculiar and exceptional practical difficulties or to exceptional and undue hardship upon the owner of the property.**

The existing building is being retained and therefore in order to meet the FAR requirement the building would have to be demolished. Due to its historic characteristics and its contribution to the architectural value to the community, the building is been retained and the residential use added to the building. If the building were to be demolished, the building would be a great loss to the community.

> **The variance will not cause substantial detriment to the public good and will not impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.**

The request to increase the FAR of the building will not be a detriment to the public good as the addition will allow for the retention of a building that contributes to the architectural character of the community. Furthermore, it will allow for the existing retail use to be retained and the addition of residential uses as envisioned by the Reed-Cook Overlay. The proposed increase in FAR will allow for an addition that will minimize visual impacts along Champlain Street and the surrounding area, by setting back each additional level from the parapet line. This allows for additional light to the street, as well as to each unit and the intent, purpose and integrity of the Zoning Regulations to provide adequate light and air for quality of life for the residents of the development will be enhanced.

Special Exception

The Reed-Cooke Overlay District specifies that buildings should have a height limit of 40-feet or 4 stories except in specified places. This proposal would increase the height limit by approximately 40 feet for a total height of 39 feet and 7 inches. This request is of some concern since the proposal essentially doubles the height of the building and therefore is not conformance with the Overlay for low-density developments. At the time of the discussion of the Overlay, the community had knowledge about the proposal for the development of the site to the west of the site that is currently under construction at a height of 55 feet. This development was approved as a Planned Unit Development (PUD) and is making significant contribution to the community in order to have additional height, e.g. the parking lot. There are a number of undeveloped lots along Champlain Street and this could set precedent for their requesting significant increase over the required height limit.

The Overlay District allows exceptions to its requirements if the following criteria outlined in Section 1403 are met:

1403.1 (a) The use, building, or feature at the size, intensity, and location proposed will substantially advance the stated purposes of the Reed-Cooke Overlay District;

The purposes of the Overlay are outlined in Section 1400.2 of the Zoning Regulations:

(a) To implement the objectives of the Reed-Cooke Special Treatment Area (Section 1128 of the Comprehensive Plan as adopted), which are to do the following:
- *(1) Protect current housing in the area, and provide for the development of new housing;*
- *(2) Maintain heights and densities at appropriate levels; and*
- *(3) Encourage small-scale business development that will not adversely affect the residential community;*

(b) To ensure that new non-residential uses serve the local community by providing retail goods, personal services, and other activities that contribute to the satisfaction of unmet social, service, and employment needs in the Reed-Cooke and Adams-Morgan community; and

(c) *To protect adjacent and nearby residences from damaging traffic, parking, environmental, social, and aesthetic impacts.*

The proposal satisfies the purpose of the Overlay District as the development will not displace any existing residences but in fact will be adding to the residential character envisioned for the Reed-Cooke area. The building will maintain the small retail business that has existed in this community for a number of years. The proposal will provide parking on site and therefore should not impact the chronic shortage of parking in the Reed-Cooke area. The public parking that will be available on the site west of the subject site will also be available to patrons of the retail shop. The terraces which are a part of the residential units will add eyes to the street and hopefully increase a sense of safety along this portion of Champlain Street that has undeveloped lots or retail uses that close in the evenings. The height proposed is not consistent with the requirements of the Overlay District.

(b) Vehicular access and egress shall be designed and located so as to minimize conflict with pedestrian ways, to function efficiently, and to create no dangerous or otherwise objectionable traffic condition;

The parking lot for the residents will be accessed at the rear of the building through the alley. The alley can be accessed from Ontario Road, Kalorama Road and further north on Champlain Street. Since there are only 13 parking spaces, this development will not introduce an excessive amount of traffic into the alley. However, combined with the other apartments, the vehicular repair shop, and other users of the alley, there is the potential that over time access into the building could force residents to park on the street.

(c) Adequate off-street parking shall be provided for employees, trucks, and other service vehicles;

Currently, employees and customers of The Brass Knob park on the street or use the commercial parking lots on Champlain Street. The Brass Knob is not a community convenience retail store that residents walk to and use on a daily basis. This is a business whose products do not fit easily into cars and therefore deliveries and pick-ups are by trucks or vans. Additionally, the building does not have a loading dock and so drop off and pick up has to be in front of the store. Most of the Brass Knob's business is conducted during the daytime when the residential traffic is less and therefore the impact on the residents should be minimal. The additional public parking available to customers should help improve the situation.

(d) If located within a C-2-B zone, the use shall not be within twenty-five feet (25 ft.) of a Residence District, unless separated therefore by a street or alley;

N/A

(e) Noise associated with the operation of a proposed use will not adversely affect adjacent or nearby residences;

The retail use is an existing use and does not generate any noise to disturb the neighborhood. The use will not be expanded and therefore its effect on the neighborhood will not change. The proposed 13 residential units will introduce additional activity but not noise into the neighborhood.

(f) No outdoor storage of materials, nor outdoor processing, fabricating, or repair shall be permitted; and

The building occupies approximately 100% of the lot and does not have space for storage. Therefore, there will be no outdoor storage of goods from the retail use. Garbage from the units will be delivered via chutes from each apartment to a storage area in the parking garage, where it is stored and later collected.

(g) The use, building, or feature at the size, intensity, and location proposed will not adversely affect adjacent and nearby property or be detrimental to the health, safety, convenience, or general welfare of persons living, working, or visiting in the area.

The retail use is a use that is currently serving and will continue to serve the community. The proposed residential use is in keeping with the objectives of the Reed-Cooke Overlay to provide for the development of new housing. The development is a reuse of an underutilized building and putting it back into productive use. The addition on the existing building will not negatively affect the surrounding community. Although the applicant has requested an increase in height over that permitted by the Overlay District the increase in height will allow the building to have a unique architecture that will allow the upper floors to be setback and allow light to the street. The building will provide parking for its residents and therefore will not make the parking situation worse in this area. The design of the building will also provide to its residents both private and common open space areas.

COMMUNITY COMMENTS

On April 16, 2001 ANC-1C vote to recommend approval of the proposed variances and special exception and has a Memorandum of Understanding with the Applicant. The Reed-Cooke Neighborhood Association is reviewing the application and is scheduled to vote on May 7, 20001. Their support is critical to this application as this was one of the main proponents of the Reed-Cooke Overlay.

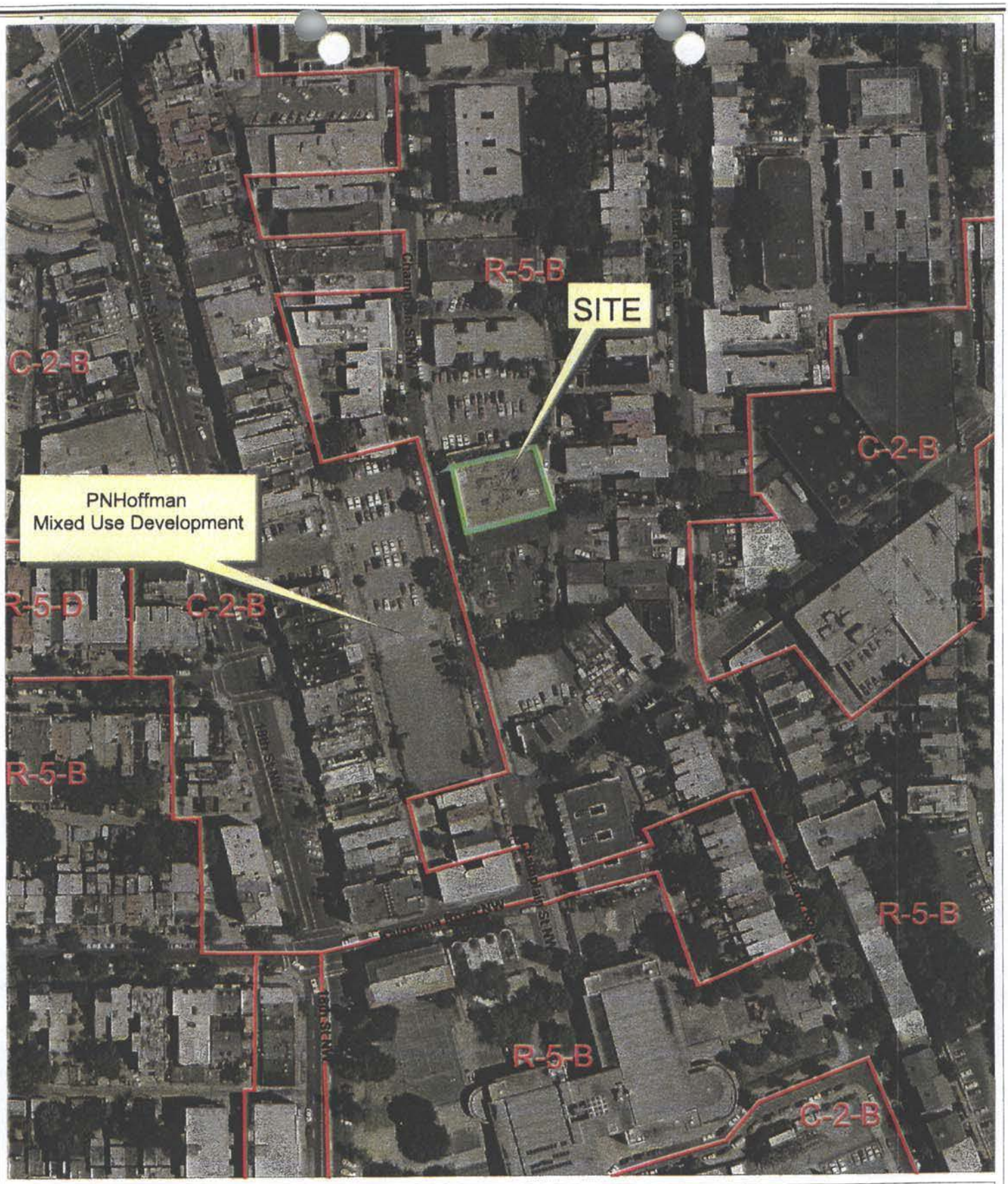
SUMMARY AND RECOMMENDATION

The Reed-Cooke Neighborhood Association is scheduled to meet with the Applicant on April 23, 2002 to continue discussions on the application. The Office of Planning also has some concerns regarding the large increase in height over that permitted by the Overly. OP is still in conversations with the applicant and will try to have this issue clarified and will submit a supplemental report to the Board with our recommendation prior to the public hearing.

Attachment

1. Vicinity Map

AA/mbr



Feature Key

Zoning Boundaries
Square Index

Board of Zoning Adjustment
Application No. #16869

DC Office of Planning
April 22, 2002

Scale 1:1907

25 0 25 50 75 100 Feet

Attachment 1

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April 25, 2002

D.C. Board of Zoning Adjustment
441 4th Street, N.W., Suite 200
Washington, DC 20001

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2002 APR 25 PM 3:48

Re: BZA Application No. 16869
Waiver of 11 DCMR §3113.8

Dear Members of the Board:

The Applicant in the above referenced matter hereby requests a waiver to allow for the filing of an additional statement in support of its application. As reason therefore, Applicant states that it has been engaged in a series of continual meetings with the ANC and other interested community representatives and was attempting to acquire additional material for submission to the Board. However, such material will be submitted independently by the ANC and the community groups and rather than risk further delay Applicant will proceed to file its statement. Thank you for your time and consideration.

Sincerely yours,

GRIFFIN, FARMER & MURPHY, LLP

By _____
Jonathan L. Farmer
Counsel for Applicant
King's Creek, LLC

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BZA
Case No. 16869
Exhibit No. 24

Before The Board of Zoning Adjustment of the District of Columbia

Application of King's Creek, LLC
for Variance and Special Exception Relief
at 2329 Champlain Street, N.W.
(Square 2563, Lot 103)

BZA Application No. 16869
Hearing Date: April 30, 2002
ANC-1C

I. Action Requested

King's Creek, LLC (hereinafter "King's Creek") requests relief under Subsection 3103.2 for a variance from the floor area ratio requirements under Section 402, a variance from the lot occupancy requirements under Section 403, and a variance from the non-conforming structure provisions under Section 20013. King's Creek also requests relief under Subsection 3104.1 for a special exception to exceed the height provisions (Section 1402) of the Reed-Cooke Overlay District under Section 1403 to construct an addition to an existing building for a mixed-use (residential and existing retail) development in the RC/R-5-B District at premises 2329 Champlain Street, N.W. (Square 2563, Lot 103). This case comes to the Board because the design of the proposed building and addition requires both variance and special exception relief.

The Reed-Cooke Overlay District was created by the Zoning Commission in 1991 to improve the defined area by protecting existing housing and providing for new housing development, maintaining heights and densities at appropriate levels, ensuring that non-residential services serve the local community, encourage small scale business development and

protecting the existing residences from any adverse impacts.

King's Creek has proposed a new development that meets the stated purposes of the Reed-Cooke Overlay District by developing new housing and ensuring the retention of a small scale business that serves the needs of the Reed-Cooke and Adams Morgan communities without any adverse impact on said communities.

A. Authority of the Board of Zoning Adjustment to Grant the Requested Relief

The subject property is located in the RC/R-5-B District. A mixed use, multifamily building is permitted in the RC/R-5-B District if, like here, that use is approved as a special exception in accordance with Section 1403 of the Zoning Regulations.

Pursuant to 11 DCMR Section 3107.2 of the Zoning Regulations, the Board is authorized to grant variances if the applicant can show that by reason of an extraordinary or exceptional situation or condition of a specific piece of property, strict application of the Zoning Regulations would result in peculiar and exceptional practical difficulties, and that the relief can be granted without substantial detriment to the public good and without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan embodied in the Zoning Regulations.

B. The Reed-Cooke Overlay District

The Reed-Cooke Overlay District applies to that non-residential portion of Square 2563 in the Reed-Cooke Special Treatment area, as described in the District of Columbia Comprehensive Plan. The Overlay was designed to promote housing while maintaining the appropriate heights and densities. In addition, the Overlay was intended to encourage the retention of small scale businesses which served the immediate needs of the Reed-Cooke and Adams Morgan community. It was the intention of the Zoning Commission to abet the improvement of a viable self sufficient residential community by providing a phase out of the many then existing industrial units and to supplement the then limited supply of housing units in the immediate area. The Zoning Commission stated that it intends to "provide a favorable zoning environment for continued residential and new residential development" in Zoning Commission Order No. 523-A. Such development was deemed to be compatible with the Land Use Element of the Comprehensive Plan for the National Capital.

II Description of the Project

King's Creek will construct a three story addition to the existing structure known as 2329 Champlain Street, N.W. (Square 2563, Lot 103). The improved structure will be located with its main entrance on the east side of Champlain Street between Kalorama Road and Euclid Street, N.W. Immediately across the street, on the west of Champlain Street is a newly constructed 57 unit condominium project. The applicant's site is abutted to

the north by a small electroplating business and large parking lot and to the south by a auto repair shop and another large parking lot.

A. The Site

The site of the proposed consists of a 9,652 square foot lot occupied with a two story building with a footprint of 9,395 square feet. Lot occupancy is approximately 97 percent. The height of the existing structure is 24.5 feet. The total existing building area is 18,401 square feet. The site is improved with a stone, steel, concrete and brick structure that was erected as an automobile garage in 1924. The site is currently used as retail, office and storage space.

B. Area Description and Building Design

1. **Area Description and Character**. The proposed project is located in the Adams-Morgan neighborhood in the area known as Reed-Cooke. The Reed-Cooke area is predominantly residential but has many businesses remaining from its formerly industrial past. The Reed-Cooke Overlay District has been in place for approximately ten years and has spawned a significant amount of additional housing in the immediate area. Champlain Street, site of the proposed King's Creek project is predominantly residential but retains a significant office, retail and service element. A significant number of housing units have been retained or created since the implementation of the Reed-Cooke Overlay. Additional units are planned and would further implement the stated

purposes of the Reed-Cooke Overlay. Champlain Street is the location of local paper offices, auto repair, parking and graphic design offices as well. A significant number of restaurant and entertainment venues exist on the west side of the opposite square (Square 2580) but the east side of the square is predominantly residential. Square 2563 is also predominantly residential and possesses a significant number of single and multifamily dwellings.

2. Building Design. The proposed structure consists of the original two story stone garage structure with an additional three stories of residential dwelling units with associated pavilions for the units. While the original structure is not a designated landmark, it is a unique example of an early automotive age building. The stone front is an attractive presentation that reflects the strength characteristic of early 20th century industrial buildings. King's Creek will restore the facade during the course of construction. The materials chosen for the addition to this building compliment the original structure in both density and color.

The proposed design provides thirteen additional units of housing in the Reed-Cooke area. A parking space is provided for each unit. Because of its original configuration, King's Creek has chosen to utilize the garage structure as built with primary access from the alley in the rear of the building. The limited amount of traffic produced by the project will not significantly affect current traffic levels and will not produce any adverse

affect on the surrounding community.

The strength of the original building also allows the building to be developed within its own envelope with unduly burdening the surrounding public areas or blocking the streets. King's Creek has chosen to recognize the sensitivity of the community to recent construction and will endeavor to minimize any possible disruption of neighborhood life.

The proposed structure is also designed to minimize visual impact from the street level by setting back the residential elements from the parapet line. This design feature also produces additional benefits by allowing natural light to reach the street as well as provide natural light for each individual unit in the project. The setbacks further minimize the effect the additional height needed by the housing addition and keeps the height consistent with the other structures along Champlain Street. The setbacks also minimize the canyon effect that other developments have created on Champlain. Because of the area's topography, the proposed structure is consistent with the new condominium structure located directly across the street. The proposed structure is visible from 18th Street through the pedestrian walk of the nearby condominium project.

The additional height of the proposed project combined with the setbacks is utilized to produce additional outdoor recreational space in a unique manner. Each unit will have access to outdoor

patios and walkways that will hold plantings to create unique urban gardens. These gardens will provide additional fresh air and a positive visual aesthetic for the Reed-Cooke area.

Entry to the project will be provided through the original entrances to the building located on Champlain Street. The original street frontage remains unchanged. The applicant is able to utilize the lobby to the existing office space as the primary entry for the added residential portion of the building. King's Creek has also recognized the importance of the existing retail use, a residential renovation supply unit known as The Brass Knob, and will maintain the storefront as a means of providing appropriate street life. The Brass Knob has been an integral part of the community for over twenty years and its continual presence is much desired by the local community.

The design of the project reflects the eclectic nature of the community at large. The open spaces are capable of evolving through design to reflect the attractive vibrancy of the community and enhances the desired residential character of the area.

C. **Applicant is Entitled to Zoning Relief Under Section 3103.2 of the Zoning Regulations**

1. Practical difficulty and uniqueness. The D.C. Court of Appeals

has repeatedly stated that the nature of the burden that will warrant a variance is best left to the facts and circumstances of each particular case. Palmer v. Board of Zoning Adjustment, 287 A. 2d 535 (D.C. App. 1972). In the instant case, it is a confluence of factors which serve to create practical difficulties for the development of the subject site. Gilmartin v. D.C. Board of Zoning Adjustment, 579 A. 2d 1164, 1168 (D.C. App. 1990).

The first factor which, when combined with the other facts and circumstances of this case, creates a practical difficulty, is the size and shape of the lot on which the proposed structure will be constructed. The lot is irregularly shaped in the extreme and is fully occupied by a unique structure of some historical importance. The lot has a relatively straight street frontage along Champlain Street but the sides and rear of the lot are constricted by other buildings and an angular alley respectively. As originally built, the lot is fully occupied and in order to provide additional housing King's Creek had to design its project according to the contours of the lot and can only utilize the vertical envelope of the site. In addition, the only practical method of providing parking for the site is to take advantage of the structure's original rear entrance and configuration for parking.

The Board of Zoning Adjustment has repeatedly found practical difficulty and granted where the shape and topography of a lot

were unique. In BZA Case No. 16104 (May 1, 1996), for example, the Board found practical difficulty when the characteristics of an adjacent property put the applicant's property in a "hole - like" situation such that strict compliance would have resulted in decreased light and air to the applicant's building. Such is clearly the case here. Without the required variances for height and FAR, the applicant would be unable to provide necessary light and air for the individual units nor could additional light be provided for Champlain Street. In BZA Case No. 15461 (June 9, 1993), the Board found practical difficulties in the physical characteristics of an irregularly shaped building on an irregularly shaped lot. In so finding, the Board ruled that there was no practical way to develop a building according to the Zoning Regulations. The D.C. Court of Appeals has on several occasions, upheld the BZA in finding practical difficulty in granting variances on irregularly shaped lots that present structure and design problems to the owner. Association for Preservation of N Street N.W. v. D.C. B.Z.A., 384 F. 2d 674 (D.C., 1978). Thus there is practical difficulty in the unusual shape in King's Creek's lot and its fully occupied nature.

The BZA has also found practical difficulty in developing a specific building of a historical nature at specific locations. The BZA has taken notice of the design limitations imposed by existing buildings of architectural or historic significance. See, for example BZA Case Nos. 16116 (June 5, 1996) and 16131

(February 3, 1997). The Board has found that when an applicant's plans were changed and developed to preserve architecturally significant and unique buildings it could determine that unique and practical difficulties and exceptional conditions were presented at the site. In the present case, the existing structure is one of the four complete remaining examples of the early automotive garage types built in the early twentieth century. Preservation of such a significant type of building is a difficulty that owners of the property must overcome to successfully develop the project.

The Applicant wishes to emphasize that this request for variance relief is not made as a matter of convenience or as a matter of cost. Nor is it an attempt by the Applicant to make the most profitable use of the land. Instead this application is an honest attempt to create reasonable and efficient use of a non-conforming structure in a manner that meets the express purposes of the Reed-Cooke Overlay District.

Thus, there are significant and substantial inherent factors in both the land and the existing structure which justify and sustain a finding of exceptional topographical conditions or other extra-ordinary or exceptional conditions that result in peculiar or exceptional practical difficulties. DeAzscarte v. D.C. Board of Zoning Adjustment, 388 A 2d 1233 (D.C. App. 1978).

2. The practical difficulty can be remedied without substantial detriment to the public good and without substantially impairing the intent, purposes and integrity of the Zoning Regulations and MAP. The requested variances would not result in any harm to the immediate neighborhood and would, in effect, effectuate the stated purposes of the Reed-Cooke Overlay District. Clearly, the District was intended to produce additional housing for the area while maintaining desirable small businesses that enhance the residential nature of the surrounding community. The Zoning Commission has primarily determined that such additional housing in the area is consistent with the Comprehensive Plan. The Commission has also determined that additional housing will not adversely affect the use and enjoyment of existing residential properties in the neighborhood nor would the addition of more housing adversely effect the public good.

A. Applicant Meets the Requirements for a Special Exception under Sections 1403 and 3108 of the Zoning Regulations

Under Section 3108 of the Zoning Regulations, the Board is authorized to grant special exceptions where, in the judgement of the Board, the special exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property. Section 1403 of the Regulations provide that the Board may grant an exception from the specific requirements of the Reed-Cooke

Overlay District if certain specified criteria are met. As explained below, King's Creek's proposal fully meets those criteria.

1. **The use, building or feature at the proposed site, intensity and location substantially advance the stated purposes of the Reed-Cooke Overlay District**

The Reed-Cooke Overlay was intended to provide new housing, protect existing housing, maintain appropriate heights and densities, encourage small-scale business development, protect nearby residences and ensure that non-residential uses serve the local community. The Applicant's proposal is completely compatible with these express purposes. King's Creek's proposal provides thirteen new housing units. The height and density of the proposed project is, due to topography and existing structures compatible with the heights and densities of other buildings and developments in the immediate area. the proposal also provides for retention of The Brass Knob, a long serving local business that provides for the needs of housing renovators in the immediate area. The project will be developed by a local construction company which employs local residents and thus addresses the employment needs of the local communities. The project is designed to be self-sufficient in construction staging , thus protecting local residences from any undue harm or adverse impacts.

2. **Vehicular egress and access is designed to minimize pedestrian conflict and creates no objectionable traffic conditions**

The proposed project will utilize the existing rear entrance to the building as its primary means of parking access. Thus there will be no interference with pedestrian traffic. Only thirteen cars will utilize the garage space and will have no appreciable effect on traffic conditions in the area. The alley way ensures that most traffic will not utilize Champlain Street as egress to the site.

3. **Adequate Off-Street Parking is provided for the Users**

One parking space is provided for each new housing unit created by this project. There is existing parking for the use of The Brass Knob. Most customers, however, arrive by foot as is typical for a truly local retail business.

4. **There is no noise associated with the operation of the proposed uses that will adversely affect the neighbors**

The existing structure was built as an automotive garage and has brick and masonry walls surrounding concrete slabs. No particular noise will be generated by the retail or housing uses that would adversely affect

the quality of life in the neighborhood. Construction of the addition will be in accordance with applicable law and regulation and will not produce any adverse effect. Construction will occur primarily within the existing structure, thus minimizing most associated noise.

5. **There is no associated storage of materials, or outdoor processing, fabricating, or repair associated with the project**

As previously stated, the bulk of the construction will occur within the building. There is no outdoor processing or storage associated with the existing retail use or planned housing units.

6. **The use, building, or features of the proposed project will not adversely affect adjacent property nor will it be detrimental to the public health , safety or welfare**

This projected is designed to complement the Reed-Cooke neighborhood by increasing the available housing stock without detracting from that already available. King's Creek has worked hard to contact its neighbors and incorporate their views and concerns into the design of the project. ANC 1C has voted unanimously to support this application at its public forum on April 16, 2002. It is inherent in the nature of the project that it will produce no detrimental or otherwise adverse effects in its own environs. For these reasons, this proposal qualifies for the grant of the requested special exception.

III Witnesses

The following Witnesses will present testimony in this case for the applicant:

1. Gregory Kearlay, Associate AIA, Inscape Architects
2. Dominique Kostelac, King's Creek, LLC

IV Conclusions

It is for these reasons that King's Creek LLC submits that it has met its burden of proof under the applicable Zoning Regulations and is entitled to the variance and special exception relief that is requested.

Respectfully submitted,

By _____
Jonathan L. Farmer
Counsel to Applicant
Griffin, Farmer & Murphy, LLP
1912 Sunderland Place., NW
Washington, DC 20036

E:\Clients\Kostelac, Dominque & Kings Creek, LLC\application for relief 041902.wpd

BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

NOTICE: See reverse side of this form for instructions.

In Re: KINGS CREEK, LLC (Applicant's Name) BZA Application Number: 16869

AFFIDAVIT OF POSTING

RECEIVED
D.C. OFFICE OF ZONING
2002 APR 16 PM 12:30

DISTRICT OF COLUMBIA, ss:

PAUL LANCASTER (Name of person posting the property), being first duly sworn, do hereby depose and say that:

I, PAUL LANCASTER (Name of person posting the property), posted 2 (no. of posters) orange zoning poster(s) ("Notice of Public Hearing") furnished by the Director of the Office of Zoning on private property known as 2329 Champlain (address of premises) on 4-12-02 (date of posting) at 2:00 p.m. (time of posting). The zoning posters were placed in plain view of the public on the street frontages as listed on this affidavit below.

I have taken, or authorized to be taken, 3 (number of photos) photograph(s) of the orange zoning posters where they have been placed. The photographs, attached hereto, clearly show each zoning poster as seen by the public. The photographs are numbered and correspond to the following street frontages:

Photograph Number	Street Frontage
1. Top	Front 2329 Champlain
2. Middle	Front 2329 Champlain
3. bottom	Upper Window / Front 2329 Champlain

Paul Lancaster
Signature

Subscribed and sworn to before me this 12th (date) day of April (month), 2002 (year).

Notary Public, D.C.

ALEXANDER DJORDJEVICH
Notary Public, District of Columbia
My Commission Expires March 31, 2004

My commission expires on:

Attach photograph(s) here. (See instruction No. 1)

BZA
Case No. 16869
Exhibit No. 22

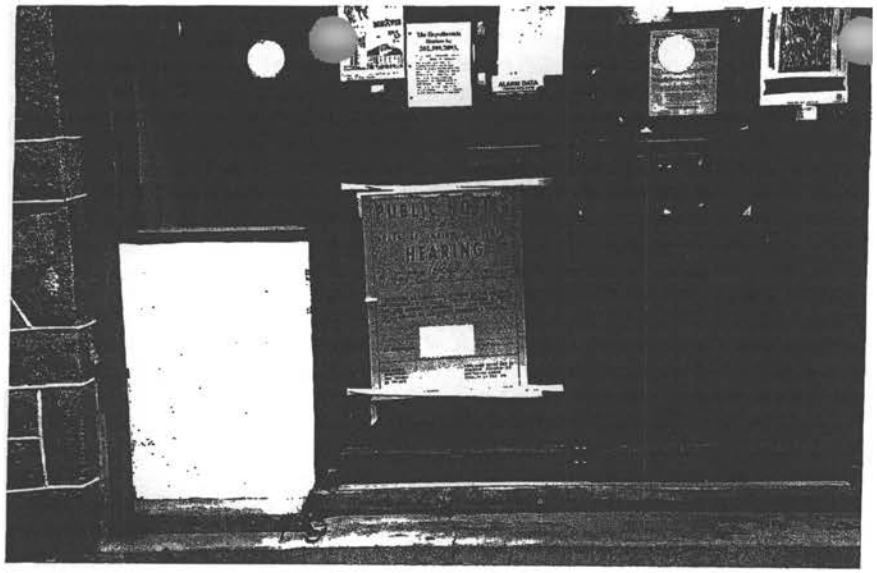


Photo 1

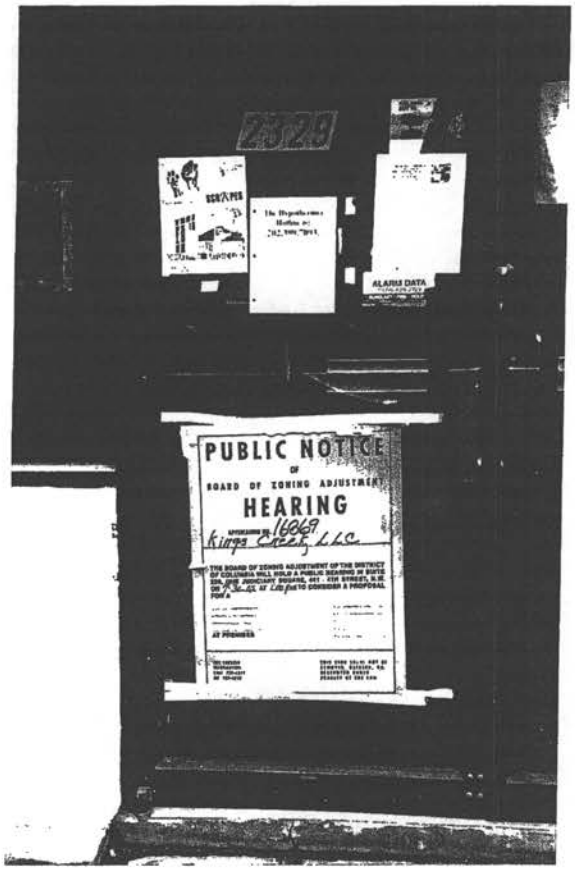


Photo 2



Photo 3

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

★ ★ ★

BZA APPLICATION NO: 16869

As Director of the Board of Zoning Adjustment, I certify and attest that letters of notice have been prepared and mailed first class to all owners of property within 200 feet of the subject property based on the listing submitted by the applicant.

ATTESTED BY: _____
JERRILY R. KRESS, FAIA
Director

DATE: MAR 1 2 2002

BZA attestltr/ljp
Case No. 16869
Exhibit No. 21

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

★ ★ ★

APPLICATION NUMBER 16869 MAR 1 2 2002
TO WHOM IT MAY CONCERN:

Notice is hereby given that the Board of Zoning Adjustment will hold a public hearing in Suite 220, 441 4th Street, N.W., Washington, D.C., 20001 on Tuesday, April 30, 2002. Your attention is invited to the following application:

> **Application of Kings Creek, LLC**, pursuant to 11 DCMR § 3103.2, for a variance from the floor area ratio requirements under section 402, a variance from the lot occupancy requirements under section 403, and a variance from the nonconforming structure provisions under section 2001.3, and pursuant to 11 DCMR § 3104.1, a special exception to exceed the height provisions (section 1402) of the Reed-Cooke Overlay District under section 1403, to construct an addition to an existing building for a mixed-use (residential and existing retail) development in the RC/R-5-B District at premises 2329 Champlain Street, N.W. (Square 2563, Lot 103).

At the public hearing, all interested persons will be given an opportunity to express their views. However, you may submit written views about this case. All written views should be sent to the address below, and must be received by the Board before the hearing on the case is concluded. Individuals and organizations wishing party status in any case before the Board must request that status in writing not less than fourteen (14) days prior to the date set for the public hearing on the particular application. The request for party status must contain all the information required by 11 DCMR 3106.2. Section 3106 is enclosed for your information.

This case is in Advisory Neighborhood Commission 1C. Cases in this area will be heard between 1:00 p.m. and 6:00 p.m. Cases will be heard in the order listed on the Board's hearing agenda.

If you have any questions about this application, you may call the Office of Zoning on (202) 727-6311, or come to 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.

PLEASE USE THE APPLICATION NUMBER WHEN YOU WRITE OR CALL ABOUT THIS CASE.

Sincerely,

JERRILY R. KRESS, FAIA
Director

(SEE REVERSED SIDE)

Case No. 16869

EXCERPT FROM TITLE 11 DCMR, "ZONING"

3106 APPEARANCE AND REPRESENTATION

3106.1 In a proceeding before the Board, any person or party may appear on his or her own behalf. Any person or party may be represented by any other person duly authorized in writing to do so. The authorization shall state specifically that the authorization includes the power of the agent or representation to bind the person in the case before the Board.

3106.2 Except for the applicant, appellant or the ANC, to participate as a party in a proceeding before the Board, any affected person shall file with the Board, not less than fourteen (14) days prior to the date set for the hearing, the following information.

(a) The person's name and address;
(b) A request to appear and participate as a party;
(c) Whether the person will appear as a proponent or opponent of the application or appeal;
(d) Whether the person will appear through legal counsel and, if so, the name and address of such legal counsel; and
(e) A written statement setting forth why the person should be granted party status, including reference to the following:

(1) The property owned or occupied by such person, or in which such person has an interest, that will be affected by the action requested of the Board;
(2) The legal interest such person has in such property, such as owner, tenant, trustee or mortgagee;
(3) The distance between such person's property and the property that is the subject of the application or appeal before the Board;
(4) The environmental, economic or social impacts that are likely to affect such person and/or such person's property if the action requested of the Board is approved or denied; and
(5) Any other relevant matters that demonstrate how such person likely will be affected or aggrieved if the action requested of the Board is approved or denied.

3106.3 In considering any request for party status pursuant to Subsection 3106.2, the Board shall grant party status only if the person has clearly demonstrated that his or her interests will be more significantly, distinctively or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

3106.4 No member of the Board or the Zoning Commission shall represent any person before the Board other than himself or herself while he or she is a member of the Board or the Zoning Commission.

3106.5 No former member of the Board or the Zoning Commission shall represent any person before the Board other than himself or herself for a period of six (6) months after the date that the member's service on the Board of Zoning Commission terminates.

3106.6 No former member of the Board or former employee of the Government of the District of Columbia shall represent any person other than himself or herself in a particular matter for which the member or employee had a substantial responsibility while he or she was a member of the Board or an employee of the District.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

MAR 1 2 2002

Andrew Miscuk, Chairperson
Advisory Neighborhood Commission 1C
P.O. Box 21652
Washington, D.C. 20009

Re: BZA Application No. 16869

Dear Mr. Miscuk:

This is to advise you that a public hearing has been scheduled by the Board of Zoning Adjustment to consider the following application which is located within the boundaries of your ANC area:

> **Application of Kings Creek, LLC**, pursuant to 11 DCMR § 3103.2, for a variance from the floor area ratio requirements under section 402, a variance from the lot occupancy requirements under section 403, and a variance from the nonconforming structure provisions under section 2001.3, and pursuant to 11 DCMR § 3104.1, a special exception to exceed the height provisions (section 1402) of the Reed-Cooke Overlay District under section 1403, to construct an addition to an existing building for a mixed-use (residential and existing retail) development in the RC/R-5-B District at premises 2329 Champlain Street, N.W. (Square 2563, Lot 103).

This hearing will be held on Tuesday, April 30, 2002, in Suite 220, 441 4th Street, N.W., Washington, D.C. 20001. This case is scheduled to be heard between 1:00 p.m. and 6:00 p.m. A formal notice of public hearing will appear in the D.C. Register.

You are advised that 11 DCMR Section 3115.1 sets out certain requirements related to reports of ANCs, and specifically that Section 3115 requires that the written report of the ANC be filed with the Board at least seven days in advance of the hearing. A copy of Section 3115 is enclosed.

Information on the procedures which will govern consideration of this case are available from the Office of Zoning, in Suite 210, 441 4th Street, N.W. Washington, D.C. 20001. The telephone number for the Office of Zoning is (202) 727-6311.

BZA
Case No. 16869

If you wish to forward comments in writing directly to the Board, such comments should be addressed to the Board of Zoning Adjustment at 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.

Sincerely,

JERRILY R. KRESS, FAIA
Director

Enclosure

EXCERPT FROM TITLE 11 DCMR, "ZONING

3115 ADVISORY NEIGHBORHOOD COMMISSIONS

3115.1 The written report of the ANC shall be submitted to the Board at least seven (7) days in advance of the hearing and shall contain the following information:

(a) An identification of the appeal or application;

(b) When the public meeting of the ANC to consider the appeal or application was held;

(c) Whether proper notice of that meeting was given by the ANC;

(d) The number of members of the ANC that constitutes a quorum and the number of members present at the meeting;

(e) The issues and concerns of the ANC about the appeal or application, as related to the standards of the Zoning Regulations against the appeal or application must be judged;

(f) The recommendation, if any, of the ANC as to the disposition of the appeal or application;

(g) The vote on the motion to adopt the report to the Board;

(h) The name of the person who is authorized by the ANC to present the report; and

(i) The signature of the chairperson or vice-chairperson of the ANC.

3115.2 The Board shall give "great weight" to the written report of the ANC, as required by No. 1-261, D.C. Code, 1982 ed.

3115.3 In the event the ANC submits its report on the basis of understandings, agreements, or meetings with the appellant, or applicant which later are modified by appellant or applicant, the designated representative of the ANC may comment orally concerning the specific inconsistencies. No other new matters may be presented orally by the designated representative of the ANC.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Jonathan L. Farmer , Esquire
Griffin, Farmer, Tarby and Murphy, LLP
1912 Sunderland Place, N.W.
Washington, D.C. 20036

MAR 1 2 2002

Re: BZA Application No. 16869

Dear Mr. Farmer

You are hereby notified to appear before the Board of Zoning Adjustment on Tuesday, April 30, 2002, at 441 4th Street, N.W., Suite 220, Washington, D.C., 20001 for a public hearing concerning the following application:

> **Application of Kings Creek, LLC**, pursuant to 11 DCMR § 3103.2, for a variance from the floor area ratio requirements under section 402, a variance from the lot occupancy requirements under section 403, and a variance from the nonconforming structure provisions under section 2001.3, and pursuant to 11 DCMR § 3104.1, a special exception to exceed the height provisions (section 1402) of the Reed-Cooke Overlay District under section 1403, to construct an addition to an existing building for a mixed-use (residential and existing retail) development in the RC/R-5-B District at premises 2329 Champlain Street, N.W. (Square 2563, Lot 103).

This case is in Advisory Neighborhood Commission 1C. Cases in this area will be heard between 1:00 p.m. and 6:00 p.m. All cases will be heard in the order listed on the public hearing agenda

PLEASE THAT A SIGN MUST BE OBTAINED FROM THE OFFICE OF THE BOARD OF ZONING ADJUSTMENT TO BE POSTED ON THE PROPERTY. The Rules of Practice and Procedure provide that such a sign must be posted at least 15 days prior to the hearing. The posted notice must also be checked at least once every five days, and replaced when necessary. An affidavit concerning the original posting of the sign must be filed with the Board at least 5 days prior to the hearing. The sign and the affidavit can be picked up from the Office of Zoning, Suite 210, 441 4th Street, N.W.

You should be aware that items may be submitted to the Board by other individuals, organizations and government agencies both in support of and in opposition to your application. Approximately one week prior to the public hearing, you should review the file in your

BZA
Case No. 16869
Exhibit No. 30

application so that you are prepared to respond to any issues that may be raised regarding your application. Further, if you are not clear about what information you must present to the Board in support of your application, please contact the Office of Zoning as soon as possible.

If you have any questions or require any additional information, feel free to call the Office of Zoning at (202) 727-6311.

Sincerely,

JERRILY R. KRESS, FAIA
Director

Applicants

Government of the District of Columbia
BOARD OF ZONING ADJUSTMENT

★ ★ ★

RECEIVED
D.C. OFFICE OF ZONING
2002 MAR -5 PM 3:08

Consideration of your Application No. _____, filed on 3/05/02, will be governed by the Board of Zoning Adjustment Rules of Practice and Procedure, effective on October 1, 1999. Under these Rules, your application will be set for public hearing on the first available date. The Board holds at least **TWO HEARINGS** per month, but typically **FOUR HEARINGS**. Cases are set for hearing on a first come, first serve basis. You will be notified of the date of the hearing approximately 40 days in advance.

When you receive the notice of public hearing, it will then be your responsibility as the applicant to post a notice of the public hearing on the property. You must pick up a posting sign from the Office of Zoning, and place it on each street frontage of the property a **MINIMUM of FIFTEEN (15) DAYS** prior to the date set for public hearing. You must check the sign at least once every five (5) days to be sure that it is in place, and must repost as necessary.

At the time of the initial posting, you must take a photograph of the sign. That photograph must be filed with the Office of Zoning a **MINIMUM of FIVE (5) DAYS** before the date set for public hearing, as an attachment to the affidavit of posting, which the Board will supply.

Please be further advised that it is also the responsibility of the applicant to carry the burden of proof for an application. That means that you should review the Zoning Regulations which apply to your application, as set forth in the notice of public hearing and should be prepared to tell the Board how your application meets the requirements of the Regulations against which it must be judged. (For variances refer to 11 DCMR 3103.2 and for special exceptions 3104.1)

The site of your application is within the jurisdiction of **Advisory Neighborhood Commission (ANC)** 1C. If that ANC submits written comments on your application, the Board will give those comments "great weight" in its decision. The Board encourages you to contact the ANC to discuss your application at the earliest practical time. The telephone number of ANC 1C is (202) 332-7650.

You are also advised that if you intend to submit any additional materials in support of the application, any documentary evidence must be filed with the Office of Zoning at least **FOURTEEN (14) DAYS prior to the date of the hearing.** Documentary evidence includes statements, information, briefs, letters, reports, reports of experts and other witnesses, plans and other material.

Should you have any questions during the period your application is pending before the Board, please call the staff at **(202) 727-6311.**

Jerrily R. Kress

JERRILY R. KRESS, FAIA
Director

ACKNOWLEDGEMENT _____

sab/12-00
Form OZ-01

16869

441 4th Street, N.W., Suite 210-S, Washington, D.C. 20001
(202) 727-6311 • (202) 727-6072 fax
E-Mail: zoninginfo@dcoz.dcgov.org • Web Site: http://www.dcoz.dcgov.org/

D.C. OFFICE OF ZONING

BOARD OF ZONING ADJUSTMENT
WASHINGTON, D.C. 20001

RECEIPT

BZA CASE NO. 16869 **(DATE)** March 5, 2002

Name Kings Creek, LLC **Amount $** 2,000.00

Address 3411 Oakwood Terrace, NW, WDC 20010

DESCRIPTION

Application of Kings Creek, LLC for a special exception and a variance for construction of a mixed use building and to construct an addition for a structure that exceeds lot occupancy requirement located at 2329 Champlain St. N.W. Square 2563, Lot 103, RC/R-5-B District.

BZA-0100/9-98 98-0857

GRIFFIN & GRIFFIN
WORKING ACCOUNT
1912 SUNDERLAND PLACE, N.W.
WASHINGTON, DC 20036-1608

SEQUOIA NATIONAL BANK
BETHESDA, MD 20814
15-162/540

1755

3/5/02

PAY TO THE ORDER OF D.C. Treasurer $ 2,000.00

Two-thousand dollars 00/100 DOLLARS

Security features included. Details on back.

MEMO Kostelac #4656.01/Filing Variance

MP

16869
E

GRIFFIN & GRIFFIN
WORKING ACCOUNT
1912 SUNDERLAND PLACE, N.W.
WASHINGTON, DC 20036-1608

SEQUOIA NATIONAL BANK
BETHESDA, MD 20814
15-162/540

1758

MARCH 8, 2002

PAY TO THE ORDER OF D.C. Treasurer $ 800.00

Eight - hundred 00/100 DOLLARS

Security features included. Details on back.

MEMO Kostelac #4686.61 / BZA #16869

MP

BZA
Case No. 16869
Exhibit No. 14

Name and Mailing Address of Any Person That Has A Lease With The Owner of The Property For All or Part of Any Building Located On The Property

1. The Brass Knob
Attention: Ron Allen
2329 Champlain Street, NW
Washington, DC 20009

RECEIVED
D.C. OFFICE OF ZONING
2007 MAR -5 PM 3:03

Case No. 16869
Exhibit No. 1

D.C.-44
~~APRIL~~ 1980

Memorandum ● Government of the District of Columbia

TO:	Ellen McCarthy, Associate Director Office of Planning Development Review & Coordination	Department, Agency, Office:	Office of Zoning BZA
FROM:	Jerrily R. Kress, FAIA Director	Date:	MAR 0 7 2002

SUBJECT: Application No. 16869

Attached hereto is a copy of the above-numbered application with related memorandum or a Notice of Certification from the Zoning Administrator's Office. This application was filed on March 5, 2002.

APPROXIMATE HEARING DATE: Late April, 2002

opref/LJP

BZA
Case No. 16869
Exhibit No. 16

D.C. - 44
APRIL 1980

Memorandum • Government of the District of Columbia

TO: Advisory Neighborhood Commission 1C

Department, Agency, Office: BZA

FROM: Jerrily R. Kress, FAIA Director

Date: MAR 0 7 2002

SUBJECT: BZA Application No. 16869

In accordance with DCMR 3112.7 and 3113.7, you are hereby advised that the above-numbered application, which falls within the boundaries of your Advisory Neighborhood Commission, was filed with the BZA on 3-5-2002. **A copy of the above-numbered application form is attached for your information and use. This is not a notice of public hearing on the application. You will receive notice of the hearing by mail and through the D.C. Register approximately forty (40) days in advance of the hearing. In accordance with 11 DCMR 3115, the written report of an ANC shall contain certain information specified in that section. A copy of Section 3115 is on the reverse side. If you have any questions, please contact the Office of Zoning at (202) 727-6311.**

APPROXIMATE HEARING DATE: Late April, 200

referralmemos/kjw

BZA
Case No. 16869
Exhibit No. 15

D.C.-44
APRIL 1980

Memorandum ● Government of the District of Columbia

TO: Single Member District/ANC 1C06?

Department, Agency, Office: BZA OZ

FROM: Jerrily R. Kress, FAIA RSK
Director

Date:

SUBJECT: Notice of Filing Date: 3-5-2002 Case No. 16869

This is to inform you that the above-numbered case has been filed before the Board of Zoning Adjustment for zoning relief. The property that is the subject of this case is within your Single Member District Boundary. Therefore, I am attaching a copy of the case, as your Single Member District may be affected. For additional information, please contact the Office of Zoning at (202) 727-6311.

APPROXIMATE HEARING DATE: Late April, 2002

smancltr/LJP

BZA
Case No. 16869
Exhibit No. 147

D.C. - 44
~~APRIL 1980~~

Memorandum ● Government of the District of Columbia

TO: City Council Member For Ward ONE

Department, Agency, Office: BZA Office of Zoning

FROM: Jerrily R. Kress, FAIA Director

Date: MAR 0 7 2002

SUBJECT:

Notice of Filing Date: 3-5-2002 Case No. 16869

This is to inform you that the above-numbered case has been filed before the Board of Zoning Adjustment for zoning relief. The property that is the subject of this case is within your Ward. Therefore, I am attaching a copy of the case, as this will affect your Ward. For additional information, please contact the Office of Zoning at (202) 727-6311.

APPROXIMATE HEARING DATE: Late April, 2002

councilrefer/LJP

BZA
Case No. 16869
Exhibit No. 13

Formatted for AVERY 5161 & 5261 Labels

DISTRICT OF COLUMBIA
C/O DEPT HCD
0801 NORTH CAPITOL ST NE 2ND FL
WASHINGTON, DC 20002

JOHN N PALAZZA
2363 CHAMPLAIN ST NW #8
WASHINGTON, DC 20009

SHERI L ORLOWITZ
1829 RIGGS ST NW
WASHINGTON, DC 20009

LESLIE BRENOWITZ
2363 CHAMPLAIN ST NW #21
WASHINGTON, DC 20009

SARAH K DASTUR
2363 CHAMPLAIN ST NW #22
WASHINGTON, DC 20009

FANCOISE DROZD
2363 CHAMPLAIN ST NW #23
WASHINGTON, DC 20009

KURT W RIESCHICK
2363 CHAMPLAIN ST NW #24
WASHINGTON, DC 20009

JOHN N PALAZZA
2363 CHAMPLAIN ST NW #8
WASHINGTON, DC 200009

ANDREW K MAINHART
2363 CHAMPLAIN ST NW #28
WASHINGTON, DC 20015

SARAH K DASTUR
2363 CHAMPLAIN ST NW #22
WASHINGTON, DC 20009

FRANCOISE DROZD
2363 CHAMPLAIN ST NW #23
WASHINGTON, DC 20009

LESLIE BRENOWITZ
2363 CHAMPLAIN ST NW #21
WASHINGTON, DC 20009

P R NEWTON
2363 CHAMPLAIN ST NW #7
WASHINGTON, DC 20015

KEVIN T BOBOWSKI
2363 CHAMPLAIN ST NW #4
WASHINGTON, DC 20009

SHELA R HALPER
2363 CHAMPLAIN ST NW #25
WASHINGTON, DC 20009

P R NEWTON
2363 CHHAMPLAIN ST NW #7
WASHINGTON, DC 20009

PAUL T ANGOTTI
2363 CHAMPLAIN ST NW #6
WASHINGTON, DC 20009

ANDREA T SMITH
2363 CHAMPLAIN ST NW #5
WASHINGTON, DC 20009

KEVIN T BOBOWSKI
2363 CHAMPLAIN ST NW #4
WASHINGTON, DC 20009

ANDREA T SMITH
2363 CHAMPLAIN ST NW #5
WASHINGTON, DC 20009

RECEIVED
D.C. OFFICE OF ZONING
2007 MAR -5 PM 3:03

#9

16869

JACQUELINE WALLEN
C/O INTERNATL REALTY
1426 A ST NE
WASHINGTON, DC 20002

CARLOS LUMPUY
2366 CHAMPLAIN ST NW
WASHINGTON, DC 20009

GEORGE S DRAVILLAS
1830 COLUMBIA RD NW
WASHINGTON, DC 20009

DONNA J GROVES
2356 CHAMPLAIN ST NW
WASHINGTON, DC 20009

EDWARD T MORGAN
ET AL
C/O RALPH KAISER
1749 OLD MEADOW RD
MCLEAN, VA 22102

DENNIS B LEE
2354 CHAMPLAIN ST NW
WASHINGTON, DC 20009

2357 CHAMPLAIN LLC
1228 31ST ST NW
WASHINGTON, DC 20007

A PARTNOY
POB 21425
WASHINGTON, DC 20009

EDWARD G JACKSON
2460 ONTARIO RD NW
WASHINGTON, DC 20009

TIMOTHY J BORK
C/O DEMERS REAL EST
1664 COLUMBIA RD NW #2ND FL
WASHINGTON, DC 20009

TRACY D MCLEON
2339 ONTARIO RD NW
WASHINGTON, DC 20009

CARLOS LUMPUY
2351 CHAMPLAIN ST NW
WASHINGTON, DC 20009

1724 KALORAMA LP
1724 KALORAMA RD NW
WASHINGTON, DC 20009

FIRST CHURCH CHRIST SCIENTIST WASHINGTON
1770 EUCLID ST NW
WASHINGTON, DC 20009

MARY'S CENTER FOR MATERNAL CHILD CARE IN
2333 ONTARIO RD NW
WASHINGTON, DC 20009

CARLOS LUMPUY
2366 CHAMPLAIN ST NW
WASHINGTON, DC 20009

CARLOS LUMPUY
2366 CHAMPLAIN ST NW
WASHINGTON, DC 20009

2380 CHAMPLAIN LLC
2380 CHAMPLAIN ST NW #17
WASHINGTON, DC 20016

RACHEL A MARINER
2450 ONTARIO RD NW
WASHINGTON, DC 20009

ROGER L WEIR
2030 15TH ST NW
WASHINGTON, DC 20009

BENJAMIN H HOLLOMAN
2446 ONTARIO RD NW
WASHINGTON, DC 20009

GEORGE W SINGLETON
ET AL
2444 ONTARIO RD NW
WASHINGTON, DC 20009

DELORES B CRAWFORD
2442 ONTARIO RD NW
WASHINGTON, DC 20009

DAVID DOMINEY
2440 ONTARIO RD NW
WASHINGTON, DC 20009

DENNIS H WOOD
4109 WOODBINE ST
CHEVY CHASE, MD 20815

ELAINE D ALBERS
2338 ONTARIO RD NW
WASHINGTON, DC 20009

JANE E ALTENHOFEN
0507 2ND ST SE
WASHINGTON, DC 20003

PARK PLACE PROPERTIES LLC
7819 NORFOLK AVE
BETHESDA, MD 20814

PARK PLACE PROPERTIES LLC
7819 NORFOLK AVE
BETHESDA, MD 20814

DENNIS H WOOD
ET AL
4109 WOODBINE ST
CHEVY CHASE, MD 20815

DENNIS H WOOD
ET AL
4109 WOODBINE ST
CHEVY CHASE, MD 20815

KING EMMANUEL BAPTIST CHURCH
1725 KALORAMA RD NW
WASHINGTON, DC 20009

GEORGE S DRAVILLAS
1830 COLUMBIA RD NW
WASHINGTON, DC 20009

GEORGE S DRAVILLAS
1830 COLUMBIA RD NW
WASHINGTON, DC 20009

KINGS CREEK LLC
3411 OAKWOOD TER NW
WASHINGTON, DC 20010

DISTRICT OF COLUMBIA
NON-TAXABLE

GEORGE S DRAVILLAS
1830 COLUMBIA RD NW
WASHINGTON, DC 20009

5327 CHAMPLAIN LLC
1228 31ST ST NW
WASHINGTON, DC 20007-3414

Square Suffix and Lot: 2560 00 * Lot Address: 2337 18TH ST NW
Owner: 2337 18TH STREET NW INC * Owner's Address: C/O GARY LUSTINE 1345 14TH ST NW WASHINGTON, DC

Square Suffix and Lot: 2560 0062 * Lot Address: 2339 18TH ST NW
Owner: GOLBERS LLC * Owner's Address: 2339 18TH ST NW WASHINGTON, DC 20009

Square Suffix and Lot: 2560 0063 * Lot Address: 2341 18TH ST NW
Owner: SPEROS P LOUKAS * Owner's Address: 4662 CHARLESTON TER NW WASHINGTON, DC 20007

Square Suffix and Lot: 2560 0090 * Lot Address: 18TH ST NW
Owner: ADAMS MORGAN LOFTS LLC * Owner's Address: 4200 WISCONSIN AVE NW #8 WASHINGTON, DC 20016

Square Suffix and Lot: 2560 0091 * Lot Address: 18TH ST NW
Owner: ADAMS MORGAN LOFTS LLC * Owner's Address: 4200 WISCONSIN AVE NW #8 WASHINGTON, DC 20016

Square Suffix and Lot: 2560 0092 * Lot Address: 18TH ST NW
Owner: ADAMS MORGAN LOFTS LLC * Owner's Address: 4200 WISCONSIN AVE NW #8 WASHINGTON, DC 20016

Square Suffix and Lot: 2560 0093 * Lot Address: 2423 18TH ST NW
Owner: SOAPSTONE LLC * Owner's Address: 2423 18TH ST NW WASHINGTON, DC 20009

Square Suffix and Lot: 2560 0094 * Lot Address: 2425 18TH ST NW
Owner: SYLVIA SELDMAN TRUSTEES * Owner's Address: C/O NEIL SELDMAN 3362 TENNYSON ST NW WASHING

Square Suffix and Lot: 2560 0095 * Lot Address: 2427 18TH ST NW
Owner: IDA WALKER FAMILY PARTNERSHIP GP * Owner's Address: 6408 WINDERMERE CIR ROCKVILLE, MD 20

Square Suffix and Lot: 2560 0096 * Lot Address: 2429 18TH ST NW
Owner: PIERRE CHAUVET * Owner's Address: 2429 18TH ST NW WASHINGTON, DC 20009

Square Suffix and Lot: 2560 0097 * Lot Address: 2431 18TH ST NW
Owner: EMILY J PHIFER * Owner's Address: POB 53016 WASHINGTON, DC 20009

Square Suffix and Lot: 2560 0098 * Lot Address: 2433 18TH ST NW
Owner: PRAFUL C PATEL * Owner's Address: 2433 18TH ST NW WASHINGTON, DC 20009

Square Suffix and Lot: 2560 0099 * Lot Address: 2435 18TH ST NW
Owner: PATRICIA A GOGOS * Owner's Address: 3532 MASS AVE NW WASHINGTON, DC 20007

Square Suffix and Lot: 2560 0101 * Lot Address: 2405 18TH ST NW
Owner: SPEROS P LOUKAS * Owner's Address: 4662 CHARLESTON TER NW WASHINGTON, DC 20007

Square Suffix and Lot: 2560 0102 * Lot Address: 2407 18TH ST NW
Owner: SPEROS P LOUKAS * Owner's Address: 4662 CHARLESTON TER NW WASHINGTON, DC 20007

Square Suffix and Lot: 2560 0103 * Lot Address: 2409 18TH ST NW
Owner: ALAN SKVIRSKY * Owner's Address: 2409 18TH ST NW WASHINGTON, DC 20009

Square Suffix and Lot: 2560 0104 * Lot Address: 2411 18TH ST NW
Owner: OSCAR GUARDADO * Owner's Address: 4208 MILITARY RD NW WASHINGTON, DC 20015

Square Suffix and Lot: 2560 0105 * Lot Address: 2413 18TH ST NW
Owner: ADAMS MORGAN LOFTS LLC * Owner's Address: 4200 WISCONSIN AVE NW #8 WASHINGTON, DC 20016

Square Suffix and Lot: 2560 0106 * Lot Address: 2415 18TH ST NW
Owner: ADAMS MORGAN LOFTS LLC * Owner's Address: 4200 WISCONSIN AVE NW #B WASHINGTON, DC 20016

Square Suffix and Lot: 2560 0817 * Lot Address: 2370 CHAMPLAIN ST NW
Owner: 2370 CHAMPLAIN STREET COOPERATIVE * Owner's Address: C/O TILTON BERNSTEIN MGMT 1918 18TH

Square Suffix and Lot: 2563 00 * Lot Address: 2450 ONTARIO RD NW
Owner: RACHEL A MARINER * Owner's Address: 2450 ONTARIO RD NW WASHINGTON, DC 20009

Square Suffix and Lot: 2563 0091 * Lot Address: 2448 ONTARIO RD NW
Owner: ROGER L WEIR * Owner's Address: 2030 15TH ST NW WASHINGTON, DC 20009

Square Suffix and Lot: 2563 0092 * Lot Address: 2446 ONTARIO RD NW
Owner: BENJAMIN H HOLLOMAN * Owner's Address: 2446 ONTARIO RD NW WASHINGTON, DC 20009

Square Suffix and Lot: 2563 0093 * Lot Address: 2444 ONTARIO RD NW
Owner: GEORGE W SINGLETON * Owner's Address: 2444 ONTARIO RD NW WASHINGTON, DC 20009

Square Suffix and Lot: 2563 0094 * Lot Address: 2442 ONTARIO RD NW
Owner: DELORES B CRAWFORD * Owner's Address: 2442 ONTARIO RD NW WASHINGTON, DC 20009

Square Suffix and Lot: 2563 0095 * Lot Address: 2440 ONTARIO RD NW
Owner: DAVID DOMINEY * Owner's Address: 2440 ONTARIO RD NW WASHINGTON, DC 20009

Square Suffix and Lot: 2563 0081 * Lot Address: 2426 ONTARIO RD NW
Owner: DENNIS H WOOD * Owner's Address: 4109 WOODBINE ST CHEVY CHASE, MD 20815

Square Suffix and Lot: 2563 0074 * Lot Address: 2338 ONTARIO RD NW
Owner: ELAINE D ALBERS * Owner's Address: 2338 ONTARIO RD NW WASHINGTON, DC 20009

Square Suffix and Lot: 2563 0075 * Lot Address: 2336 ONTARIO RD NW
Owner: JANE E ALTENHOFEN * Owner's Address: 0507 2ND ST SE WASHINGTON, DC 20003

Square Suffix and Lot: 2563 0077 * Lot Address: 2434 ONTARIO RD NW
Owner: PARK PLACE PROPERTIES LLC * Owner's Address: 7819 NORFOLK AVE BETHESDA, MD 20814

Square Suffix and Lot: 2563 0078 * Lot Address: 2432 ONTARIO RD NW
Owner: PARK PLACE PROPERTIES LLC * Owner's Address: 7819 NORFOLK AVE BETHESDA, MD 20814

Square Suffix and Lot: 2563 0079 * Lot Address: 2430 ONTARIO RD NW
Owner: DENNIS H WOOD * Owner's Address: 4109 WOODBINE ST CHEVY CHASE, MD 20815

Square Suffix and Lot: 2563 0080 * Lot Address: 2428 ONTARIO RD NW
Owner: DENNIS H WOOD * Owner's Address: 4109 WOODBINE ST CHEVY CHASE, MD 20815

Square Suffix and Lot: 2563 0097 * Lot Address: 1721 - 1725 KALORAMA RD NW
Owner: KING EMMANUEL BAPTIST CHURCH * Owner's Address: 1725 KALORAMA RD NW WASHINGTON, DC 200

Square Suffix and Lot: 2563 0098 * Lot Address: 1731 KALORAMA RD NW
Owner: GEORGE S DRAVILLAS * Owner's Address: 1830 COLUMBIA RD NW WASHINGTON, DC 20009

Square Suffix and Lot: 2563 0101 * Lot Address: 2307 CHAMPLAIN ST NW
Owner: GEORGE S DRAVILLAS * Owner's Address: 1830 COLUMBIA RD NW WASHINGTON, DC 20009

Square Suffix and Lot: 2563 0103 * Lot Address: 2329 CHAMPLAIN ST NW
Owner: KINGS CREEK LLC * Owner's Address: 3411 OAKWOOD TER NW WASHINGTON, DC 20010

Square Suffix and Lot: 2563 0858 * Lot Address: 2422 ONTARIO RD NW
Owner: DISTRICT OF COLUMBIA * Owner's Address: NON-TAXABLE

Square Suffix and Lot: 2563 0862 * Lot Address: 2326 - 2328 ONTARIO RD NW
Owner: GEORGE S DRAVILLAS * Owner's Address: 1830 COLUMBIA RD NW WASHINGTON, DC 20009

Square Suffix and Lot: 2563 0879 * Lot Address: 2327 CHAMPLAIN ST NW 1/2
Owner: 5327 CHAMPLAIN LLC * Owner's Address: 1228 31ST ST NW WASHINGTON, DC 20007-3414

Square Suffix and Lot: 2563 0[illegible] Lot Address: 2332 - 2334 ONTARIO [illegible]W
Owner: JACQUELINE WALLEN * Owner's Address: C/O INTERNATL REALTY 1426 A ST NE WASHINGTON, DC 200

Square Suffix and Lot: 2563 0883 * Lot Address: 2301 CHAMPLAIN ST NW
Owner: GEORGE S DRAVILLAS * Owner's Address: 1830 COLUMBIA RD NW WASHINGTON, DC 20009

Square Suffix and Lot: 2563 0887 * Lot Address: CHAMPLAIN ST NW
Owner: EDWARD T MORGAN * Owner's Address: C/O RALPH KAISER 1749 OLD MEADOW RD MCLEAN, VA 22102

Square Suffix and Lot: 2563 0888 * Lot Address: CHAMPLAIN ST NW
Owner: 2357 CHAMPLAIN LLC * Owner's Address: 1228 31ST ST NW WASHINGTON, DC 20007

Square Suffix and Lot: 2563 0073 * Lot Address: 2359 CHAMPLAIN ST NW
Owner: EDWARD G JACKSON * Owner's Address: 2460 ONTARIO RD NW WASHINGTON, DC 20009

Square Suffix and Lot: 2566 0036 * Lot Address: 2339 ONTARIO RD NW
Owner: TRACY D MCLEON * Owner's Address: 2339 ONTARIO RD NW WASHINGTON, DC 20009

Square Suffix and Lot: 2566 0841 * Lot Address: 2341 ONTARIO RD NW
Owner: 1724 KALORAMA LP * Owner's Address: 1724 KALORAMA RD NW WASHINGTON, DC 20009

Square Suffix and Lot: 2566 0837 * Lot Address: 2333 ONTARIO RD NW
Owner: MARY'S CENTER FOR MATERNAL CHILD CARE IN * Owner's Address: 2333 ONTARIO RD NW WASHINGT

Square Suffix and Lot: 2560 0852 * Lot Address: 2366 CHAMPLAIN ST NW
Owner: CARLOS LUMPUY * Owner's Address: 2366 CHAMPLAIN ST NW WASHINGTON, DC 20009

Square Suffix and Lot: 2560 0853 * Lot Address: 2364 CHAMPLAIN ST NW
Owner: CARLOS LUMPUY * Owner's Address: 2366 CHAMPLAIN ST NW WASHINGTON, DC 20009

Square Suffix and Lot: 2560 0854 * Lot Address: 2362 CHAMPLAIN ST NW
Owner: CARLOS LUMPUY * Owner's Address: 2366 CHAMPLAIN ST NW WASHINGTON, DC 20009

Square Suffix and Lot: 2560 0857 * Lot Address: 2356 CHAMPLAIN ST NW
Owner: DONNA J GROVES * Owner's Address: 2356 CHAMPLAIN ST NW WASHINGTON, DC 20009

Square Suffix and Lot: 2560 0858 * Lot Address: 2354 CHAMPLAIN ST NW
Owner: DENNIS B LEE * Owner's Address: 2354 CHAMPLAIN ST NW WASHINGTON, DC 20009

Square Suffix and Lot: 2560 0859 * Lot Address: 2352 CHAMPLAIN ST NW
Owner: A PARTNOY * Owner's Address: POB 21425 WASHINGTON, DC 20009

Square Suffix and Lot: 2563 0816 * Lot Address: 2335 CHAMPLAIN ST NW
Owner: TIMOTHY J BORK * Owner's Address: C/O DEMERS REAL EST 1664 COLUMBIA RD NW #2ND FL WASHING

Square Suffix and Lot: 2563 0834 * Lot Address: 2351 CHAMPLAIN ST NW
Owner: CARLOS LUMPUY * Owner's Address: 2351 CHAMPLAIN ST NW WASHINGTON, DC 20009

Square Suffix and Lot: 2560 0875 * Lot Address: CHAMPLAIN ST NW
Owner: FIRST CHURCH CHRIST SCIENTIST WASHINGTON * Owner's Address: 1770 EUCLID ST NW WASHINGTO

Square Suffix and Lot: 2560 0131 * Lot Address:
Owner: * Owner's Address:

Square Suffix and Lot: 2560 0130 * Lot Address:
Owner: * Owner's Address:

Square Suffix and Lot: 2560 7000 * Lot Address: 2328 CHAMPLAIN ST NW 1/2
Owner: 2380 CHAMPLAIN LLC * Owner's Address: 2380 CHAMPLAIN ST NW #17 WASHINGTON, DC 20016

Formatted for AVERY 5161 & 5261 Labels

2337 18TH STREET NW INC
C/O GARY LUSTINE
1345 14TH ST NW
WASHINGTON, DC 20005

GOLBERS LLC
2339 18TH ST NW
WASHINGTON, DC 20009

SPEROS P LOUKAS
4662 CHARLESTON TER NW
WASHINGTON, DC 20007

ADAMS MORGAN LOFTS LLC
4200 WISCONSIN AVE NW #8
WASHINGTON, DC 20016

ADAMS MORGAN LOFTS LLC
4200 WISCONSIN AVE NW #8
WASHINGTON, DC 20016

ADAMS MORGAN LOFTS LLC
4200 WISCONSIN AVE NW #8
WASHINGTON, DC 20016

SOAPSTONE LLC
2423 18TH ST NW
WASHINGTON, DC 20009

SYLVIA SELDMAN TRUSTEES
ET AL
C/O NEIL SELDMAN
3362 TENNYSON ST NW
WASHINGTON, DC 20015

IDA WALKER FAMILY PARTNERSHIP GP
6408 WINDERMERE CIR
ROCKVILLE, MD 20852

PIERRE CHAUVET
ET AL
2429 18TH ST NW
WASHINGTON, DC 20009

EMILY J PHIFER
POB 53016
WASHINGTON, DC 20009

PRAFUL C PATEL
2433 18TH ST NW
WASHINGTON, DC 20009

PATRICIA A GOGOS
ET AL
3532 MASS AVE NW
WASHINGTON, DC 20007

SPEROS P LOUKAS
4662 CHARLESTON TER NW
WASHINGTON, DC 20007

SPEROS P LOUKAS
4662 CHARLESTON TER NW
WASHINGTON, DC 20007

ALAN SKVIRSKY
2409 18TH ST NW
WASHINGTON, DC 20009

OSCAR GUARDADO
4208 MILITARY RD NW
WASHINGTON, DC 20015

ADAMS MORGAN LOFTS LLC
4200 WISCONSIN AVE NW #8
WASHINGTON, DC 20016

ADAMS MORGAN LOFTS LLC
4200 WISCONSIN AVE NW #B
WASHINGTON, DC 20016

2370 CHAMPLAIN STREET COOPERATIVE
C/O TILTON BERNSTEIN MGMT
1918 18TH ST NW #2
WASHINGTON, DC 20009

Square Suffix and Lot: 2560 0[illegible] Lot Address: 2328 CHAMPLAIN ST N[illegible]72
Owner: DISTRICT OF COLUMBIA * Owner's Address: C/O DEPT HCD 080[illegible] NORTH CAPITOL ST NE 2ND FL WASHI

Square Suffix and Lot: 2563 2014 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 0008
Owner: JOHN N PALAZZA * Owner's Address: 2363 CHAMPLAIN ST NW #8 WASHINGTON, DC 20009

Square Suffix and Lot: 2563 2015 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 0020
Owner: SHERI L ORLOWITZ * Owner's Address: 1829 RIGGS ST NW WASHINGTON, DC 20009

Square Suffix and Lot: 2563 2016 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 0021
Owner: LESLIE BRENOWITZ * Owner's Address: 2363 CHAMPLAIN ST NW #21 WASHINGTON, DC 20009

Square Suffix and Lot: 2563 2017 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 0022
Owner: SARAH K DASTUR * Owner's Address: 2363 CHAMPLAIN ST NW #22 WASHINGTON, DC 20009

Square Suffix and Lot: 2563 2018 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 0023
Owner: FANCOISE DROZD * Owner's Address: 2363 CHAMPLAIN ST NW #23 WASHINGTON, DC 20009

Square Suffix and Lot: 2563 2019 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 0024
Owner: KURT W RIESCHICK * Owner's Address: 2363 CHAMPLAIN ST NW #24 WASHINGTON, DC 20009

Square Suffix and Lot: 2563 2034 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 0P10
Owner: JOHN N PALAZZA * Owner's Address: 2363 CHAMPLAIN ST NW #8 WASHINGTON, DC 200009

Square Suffix and Lot: 2563 2033 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 00P9
Owner: ANDREW K MAINHART * Owner's Address: 2363 CHAMPLAIN ST NW #28 WASHINGTON, DC 20015

Square Suffix and Lot: 2563 2032 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 00P8
Owner: SARAH K DASTUR * Owner's Address: 2363 CHAMPLAIN ST NW #22 WASHINGTON, DC 20009

Square Suffix and Lot: 2563 2031 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 00P7
Owner: FRANCOISE DROZD * Owner's Address: 2363 CHAMPLAIN ST NW #23 WASHINGTON, DC 20009

Square Suffix and Lot: 2563 2030 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 00P6
Owner: LESLIE BRENOWITZ * Owner's Address: 2363 CHAMPLAIN ST NW #21 WASHINGTON, DC 20009

Square Suffix and Lot: 2563 2027 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 00P3
Owner: P R NEWTON * Owner's Address: 2363 CHAMPLAIN ST NW #7 WASHINGTON, DC 20015

Square Suffix and Lot: 2563 2028 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 00P4
Owner: KEVIN T BOBOWSKI * Owner's Address: 2363 CHAMPLAIN ST NW #4 WASHINGTON, DC 20009

Square Suffix and Lot: 2563 2029 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 00P5
Owner: SHELA R HALPER * Owner's Address: 2363 CHAMPLAIN ST NW #25 WASHINGTON, DC 20009

Square Suffix and Lot: 2563 2013 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 0007
Owner: P R NEWTON * Owner's Address: 2363 CHHAMPLAIN ST NW #7 WASHINGTON, DC 20009

Square Suffix and Lot: 2563 2012 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 0006
Owner: PAUL T ANGOTTI * Owner's Address: 2363 CHAMPLAIN ST NW #6 WASHINGTON, DC 20009

Square Suffix and Lot: 2563 2011 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 0005
Owner: ANDREA T SMITH * Owner's Address: 2363 CHAMPLAIN ST NW #5 WASHINGTON, DC 20009

Square Suffix and Lot: 2563 2010 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 0004
Owner: KEVIN T BOBOWSKI * Owner's Address: 2363 CHAMPLAIN ST NW #4 WASHINGTON, DC 20009

Square Suffix and Lot: 2563 2026 * Lot Address: 2363 CHAMPLAIN ST NW Unit: 00P2
Owner: ANDREA T SMITH * Owner's Address: 2363 CHAMPLAIN ST NW #5 WASHINGTON, DC 20009

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AMY R GRUBE
2363 CHAMPLAIN ST NW #27
WASHINGTON, DC 20009

MICHAEL F CLEARY
1707 19TH ST NW
WASHINGTON, DC 20009

Statement of Existing and Intended Uses

The proposed mixed use project will be located at 2329 Champlain Street, NW on Lot 103 in Square 2566 (the "subject property"). The subject property is a fully occupied lot that at various times was used for garage, storage, warehouse and office use. The subject property is located in the RL/R-5-B zoning District.

Kings Creek LLC (the "applicant") proposes to construct a mixed use project that will include approximately 13 units in a new addition to the building and with retail uses maintained in existing ground floor spaces. The proposed structure will have a height of approximately 69 feet. The project will include 13 parking spaces for the residents of the building.

D.C. RECEIVED
OFFICE OF ZONING
2007 MAR 26 PM 3:03

The underlying R-5-B District permits a height of 50 feet as a matter-of-right. However, the Reed-Cooke Overlay limits the matter of right permissible height to 40 feet for the subject property. A height greater than 40 feet can be achieved pursuant to special exception approval by The Board of Zoning Adjustment ("BZA"). This project requires special exception approval for the proposed building's height, and requires a variance relief for additional FAR and to construct an addition to a building that exceeds lot occupancy requirements.

The proposed development will improve an underutilized structure in a manner compatible with the surrounding neighborhood. In addition, the proposed development will substantially advance the stated goals of the Reed-Cooke Overlay District by providing new housing development. The 13 additional units will be a benefit to the neighborhood. The Reed-Cooke Overlay District seeks to encourage small scale business

BZA 16869

development that does not adversely affect the residential community and serves the local community by providing retail goods, personal services that contribute to the satisfaction of the needs of the Reed-Cooke and Adams Morgan community. The majority of the non residential space will be used by the Brass Knob which provides desired goods and services for the maintenance and improvement of the older buildings in the area. Absent approval of the requested special exception and variances, the building will remain "its current use as a retail, office and storage space".

March 4, 2002

RECEIVED
D.C. OFFICE OF ZONING
2002 MAR -5 PM 3:03

Board of Zoning Adjustment
441 4th Street NW
Second Floor
Washington, DC 20001

Re: BZA Application for 2329 Champlain Street, NW
Square 2563, Lot 103

Honorable Members of the Board:

This letter authorizes the law firm of Griffin, Farmer & Murphy, LLP to represent Kings Creek LLC in all proceedings before The Board of Zoning Adjustment concerning the above-mentioned property.

Sincerely,

Dominique Kostelac

J:\Jonathan L. Farmer\kostelac ltr to BZA 022602.wpd

BZA 16869

LAW OFFICES
GRIFFIN, FARMER & MURPHY, LLP
1912 SUNDERLAND PLACE, NW
WASHINGTON, DC 20036-1608

(202) 429-9000 – (800) 429-9003
FACSIMILE (202) 232-7365 (202) 331-3803
WWW.WASHLAW.COM

MARK G. GRIFFIN., DC, MD
JONATHAN L. FARMER, DC, MI
BRIAN P. MURPHY, DC, MD
ALEXANDER DJORDJEVICH, DC, MD

DAVID K. MCRAE, DC, MD
JAMES T. HEISE, MD

OF COUNSEL

DALE L. JERNBERG, DC, MD
PAUL M. GRIFFIN, DC, NJ

WRITER'S DIRECT DIAL:

OTHER OFFICES:

703 GIDDINGS AVENUE
SUITE U6
ANNAPOLIS, MARYLAND 21401

6305 IVY LANE
SUITE 504
GREENBELT, MARYLAND 20770

March 5, 2002

RECEIVED
D.C. OFFICE OF ZONING
2002 MAR -5 PM 3:10

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

Re: BZA Special Exception and Variance Application of
Kings Creek LLC (Square 2563, Lot 103)

Dear Members of The Board:

Enclosed please find a special exception and variance application on behalf of Kings Creek, LLC (the "Applicant") for the construction of a mixed use project located at 2329 Champlain Street, NW (the "subject property"). Enclosed please find the following documents:

- A completed BZA Form 2 application;
- A letter from Kings Creek, LLC, the owner of the subject property authorizing Griffin, Farmer & Murphy, LLP to file the application and represent the Applicant in all matters before The Board;
- A building plat, prepared by the D.C. Surveyor showing the footprint of the proposed building on the subject property;
- A Zoning Self-Certification Form;
- A statement of existing and intended use describing the necessary special exception and variance relief and plans for the proposed project;
- Photographs of the elevations of the subject property;
- List of names and mailing addresses (including mailing labels) of the owners of all property within 200 feet in all directions of the boundaries of the subject property;
- Name of the entity that has a lease to use a portion of the building on the subject property;
- A check for the filing fee.

16869

The application is complete and acceptable for filing, and we request that The Board schedule a public hearing on the application as soon as possible. We are prepared to answer any questions or provide such other additional information as you may require. Thank you for your time and attention to this application.

Sincerely,

GRIFFIN, FARMER & MURPHY, LLP

By _____
Jonathan L. Farmer

Enclosures

JLF:jih
J:\Jonathan L. Farmer\letter to BZA 022602.wpd

2329 CHAMPLAIN STREET, NW
PHOTOS



VIEW FROM THE WEST

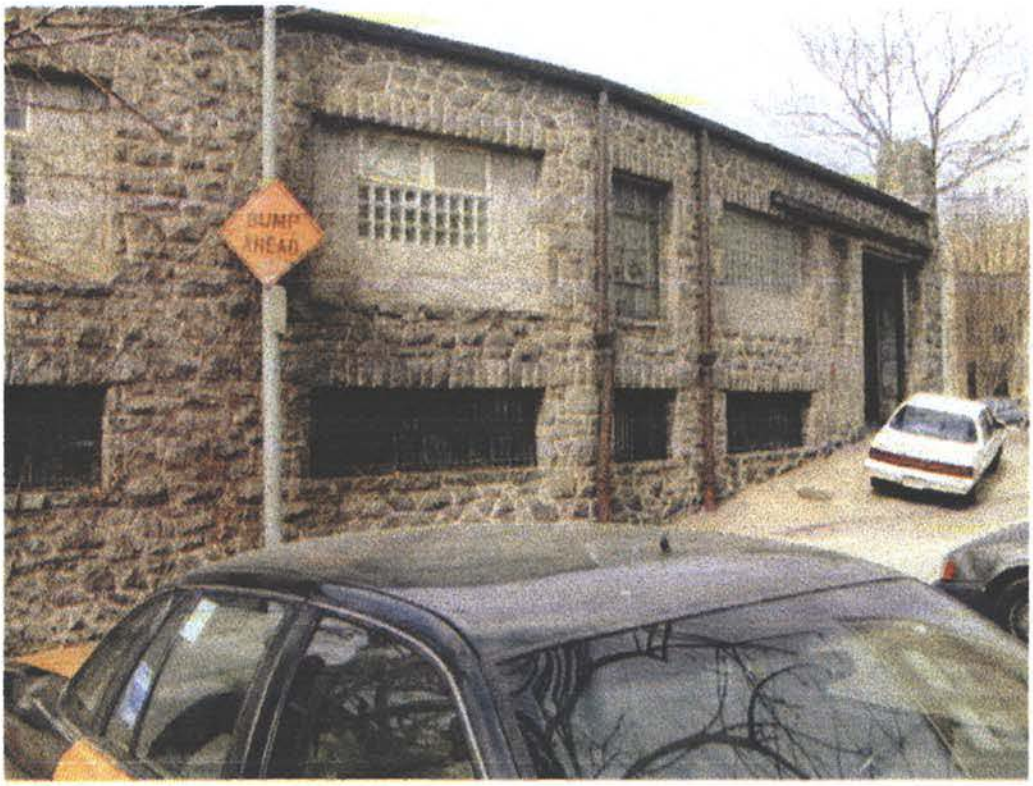


VIEW FROM THE NORTH

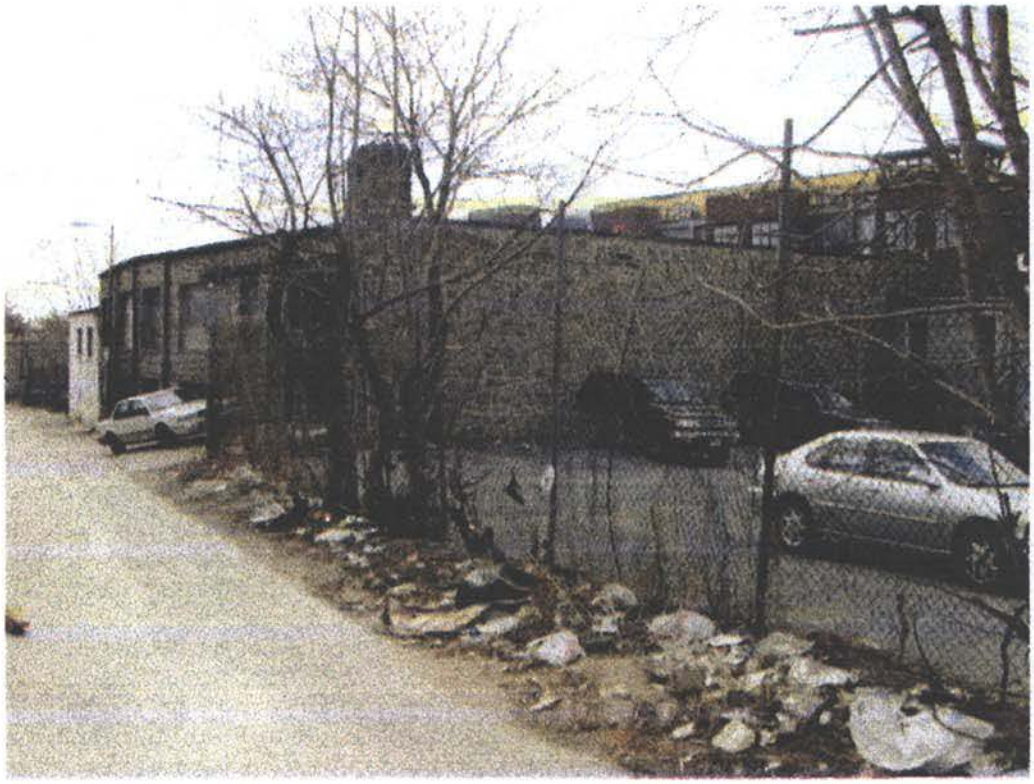
RECEIVED
D.C. OFFICE OF ZONING
2002 MAR -5 PM 3:04

BZA
Case No. 16469
Exhibit No. 5

2329 CHAMPLAIN STREET, NW
PHOTOS



VIEW FROM THE EAST



VIEW FROM THE NORTH

#5

Form 1 – BZA Certification - Page 1 (Revised 03/07/00)

ZONING SELF-CERTIFICATION FORM

Date	Project Address(es)			
	2329 Champlain Street NW			
Square	**Lot(s)**	**Zone District(s)**	**ANC(s)/Single Member District(s)**	**Case No.**
2563	103	RC/R-5-B	1C06	

CERTIFICATION

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

☐	Use Variance DCMR 11 §3103	☒	Area Variance DCMR 11 §3103	☒	Special Exception DCMR 11 §3104

which is provided for by DCMR Title 11 Section No(s).: 402, 403, 2001.3, 1403, 1402 RSN

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;
(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 as 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)
	Dominique Kostelac
Agents Signature	**Agent's Name (Please Print)**
	Jonathan L. Farmer

D.C. Bar No.	959296	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 BZA Case No 16869

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Signature		Date	

Jennifer R. Kress, AIA – Director of the Office of Zoning

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 BZA Certification Form 1. All certification forms must be completely filled out (front and back) and be typewritten or legibly printed. 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 per each application filed. Present this form with the BZA Form 2 application to the Office of Zoning, 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.

ITEM	EXISTING	REQUIRED	ALLOWED	PROVIDED	VARIANCE Deviation/Percent
Lot Area	9652 SF	none prescribed	none prescribed	9652	n/a
Lot Width	83.2 FT	"	"	83.2 FT	n/a
Lot Occupancy	97.3%	60%	60%	97.3%	37.3%
Floor Area Ratio (FAR)	1.9	1.8	1.8	3.9	2.1
Parking Spaces	none	7	none prescribed	6 compact & 3 full size 12 total	
Loading Berths	none	none	none	none	none
Front Yard	none	none	none	none	none
Rear Yard	none	17.6	17.6	none	none
Side Yard	none	none	none	none	none
Court, Open	none	11'-0" min.reg.		29'-7"x30'-10" min.LT. dim. total SF = 1129 SF	
Court, Closed	none	none	none	none	none
HEIGHT	31'-6" to the highest point on the parapet	none	R-5-B = 50'	69'-7" total height 18'-7"	

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., 10-1, 2001

Plat for Building Permit of SQ-2563 LOT 103

Scale: 1 inch = 20 feet Recorded in Book 181 Page 11

Receipt No. 5715

Furnished to: KEARLEY GREG

Surveyor, D.C.

By: DA VM

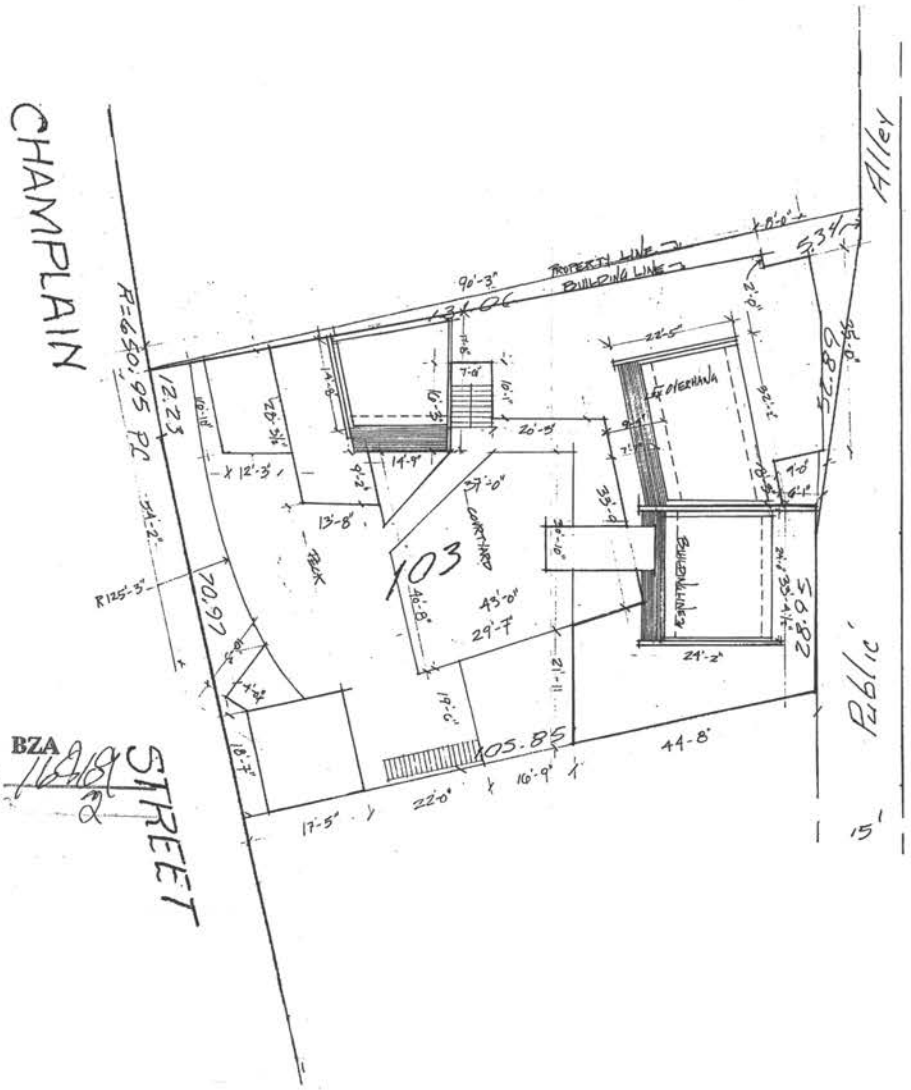
I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plat;and that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

Date: _____

_____
(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.

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BZA Case No. 16819
EXHIBIT NO. 2

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., 10-1, 2001

Plat for Building Permit of SQ-2563 LOT103

Scale: 1 inch = 20 feet Recorded in Book 181 Page 11

Receipt No. 5715

Furnished to: KEARLEY GREG

Surveyor, D.C.

By: DA VM

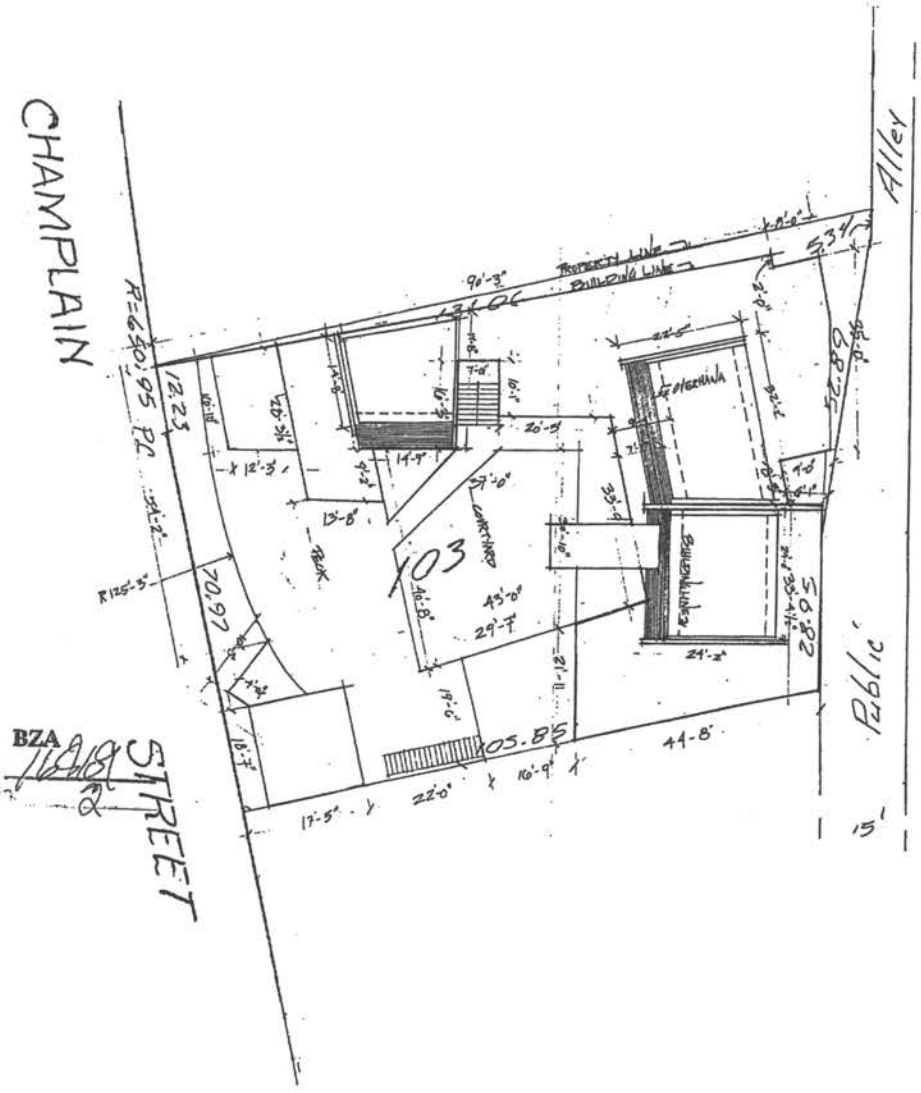
I hereby certify that all existing improvements shown hereon, are completely dimensioned, and are correctly platted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and platted and agree with plans accompanying the application; that the foundation plans as shown hereon is drawn, and dimensioned accurately to the same scale as the property lines shown on this plat and that by reason of the proposed improvements to be erected as shown hereon the size of any adjoining lot or premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or flats, or in excess of 12% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

Date: _____

_____
(Signature of owner or his authorized agent)

NOTE: Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.

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BZA Case No. 16918
Exhibit No. 2

BZA Form 2
(Revised 7/17/95)

Docket No. 16869

BEFORE THE BOARD OF ZONING ADJUSTMENT
FOR THE DISTRICT OF COLUMBIA

APPLICATION

NOTE: See reverse side of this form for filing instructions, filing fees and information required by the Board

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2002 MAR -5 P 3:10

DO NOT MAIL **DO NOT MAIL**
TO THE BOARD OF ZONING ADJUSTMENT

Pursuant to Section 3104.1 and 3103.2 of the Zoning Regulations of the District of Columbia, an application is hereby made for the following action: special exception approval of the construction of a mixed use building in excess of the matter of right height in the Reed-Cooke Overlay District and variance relief from the maximum FAR permitted in the R-5-B District and to construct an addition for a structure that exceeds lot occupancy requirements, which is provided for by Section(s) 1403.1, 402 and 2001.3 of the Zoning Regulations.

403, 1402 RSN

Premises affected are located at 2329 Champlain Street, N.W.
(street address)
Lot(s) 103, Square(s) 2563,
in the District of Columbia, in Zoning District RC/R-5-B.
Present use of Property: Office, Retail and Storage.
Proposed use of Property: Residential and Retail.

Owner of Property: Kings Creek, LLC.

Address of Owner: 3411 Oakwood Terrace, N.W., Washington, D.C. 20010.

State briefly the bases for action sought: Applicant proposes to construct a mixed use building on the property. The residential portion of the building will consist of approximately 13 units in a new addition to the building and retail use will be on the first floor. Special Exception relief is needed to allow a height greater than permitted as a matter of right in the Reed-Cooke Overlay District. Variance relief is required for additional gross floor area and to permit construction of an addition to a structure that exceeds permitted lot occupancy requirements.

Date: 3/5/02 Signature: _____.
(Applicant)*

* The owner of the property for which application is made or his/her authorized agent may file an application. In the event an authorized agent files an application on behalf of the owner, the notice of application shall be accompanied by a letter signed by the owner authorizing the agent to act on his behalf in this appeal.

TO BE NOTIFIED OF HEARING AND DECISION:

Name: Jon Rue Li Farmer
Address: 1912 Sunderland Place, N.W. W DC
Zip Code 20036 Phone No. 202-429-9000

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

BZA
Case No. 16869
Exhibit No. 1