Government of the District of Columbia
OFFICE OF ZONING

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MEMORANDUM

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SECRETARY OF DOCUMENTS
ADMINISTRATIVE ISSUANCES

TO: Arnold R. Finlayson, Administrator
Office of Documents and Administrative Issuance

FROM: Alberto P. Bastida, AICP
Secretary to the Zoning Commission

DATE: August 13, 2003

SUBJECT: Publication for the Office of Zoning

Please publish the following in the *D.C. Register* on August 22, 2003:

1. Z.C. Notice of Public Hearing (Z.C. Case No. 02-28);
2. Z.C. Notice of Public Hearing (Z.C. Case No. 03-04); and
3. Z.C. Notice of Public Hearing (Z.C. Case No. 03-24).

L Jenkins
Received By

8-13-03
Date

Attachments

ZONING COMMISSION
District of Columbia
Case 03-04
Exhibit 16

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

ZONING COMMISSION
District of Columbia
CASE NO.03-04
EXHIBIT NO.16

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, October 9, 2003, @ 6:30 P.M.**
Office of Zoning Hearing Room
441 4th Street, N.W., Suite 220-South
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 03-04 (PUD @ Square 2661, Lots 54, 215, 216, and 860 — 1437-1451 Belmont Street, N.W.)

THIS CASE IS OF INTEREST TO ANC 1B

On January 17, 2003, the Office of Zoning received an application from Belmont Partners LLC, on behalf of Bozzuto Holdings, LLC and George H. Purcell (collectively, the "Applicant") requesting consolidated review and approval of a Planned Unit Development ("PUD") in accordance with District of Columbia Zoning Regulation, 11 DCMR (July 1996). This matter was referred to the Office of Planning ("OP") on January 31, 2003; OP provided its report to the Zoning Commission on April 4, 2003; the case was set down for hearing on April 14, 2003; and the Applicant provided its prehearing statement on June 19, 2003.

The property that is the subject of this application consists of Lots 54, 215, 216, and 860 in Square 2661 and is located on Belmont Street, N.W. between 14th and 15th Streets, N.W. The property is zoned R-5-B. The site consists of approximately 42,750 square feet of land area.

The Applicant proposes to construct a new condominium building consisting of approximately 105 units. The building will contain 115,200 square feet (a maximum of 2.7 FAR). The proposed building will have a maximum height of 55 feet. Parking will be provided in a two-level garage and adjacent rear space that will accommodate 165 cars. Access to the parking spaces will be provided from the rear of the building and along Belmont Street, N.W.

The R-5-B District permits matter-of-right moderate development of general residential uses, including single-family dwellings, flats, and apartment buildings, to a maximum lot occupancy of 60%, a maximum FAR of 1.8, and a maximum height of fifty (50) feet.

The Applicant is requesting a waiver of the minimum lot area requirement of one acre for a PUD in the R-5-B District. The Applicant is also requesting deviation from the lot occupancy requirement; the Applicant is proposing a 63% lot occupancy. The Applicant is also requesting a deviation from roof structure requirements under § 411.

The development manager for this proposal is the Bozzuto Group; the architect is the SK&I Architectural Design Group, and the land use counsel is Griffin, Farmer & Murphy, LLP.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations 11 DCMR § 3022.

Interested persons or representatives of organizations will be heard at the public hearing. **Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.** A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Rules. Except for the Applicant and the ANC, in order to participate as a party in a proceeding before the Commission, **any affected person shall file with the Commission, not less than fourteen (14) days prior to the date set for the hearing, a written statement containing 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;

(d) Whether the person will appear through legal counsel, and if so, the name and address of legal counsel;

(e) A list of witnesses who will testify on the person's behalf; and

(f) 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 the person, or in which the person has an interest, that will be affected by the action requested of the Commission;

(2) The legal interest the person has in said property, such as owner, tenant, trustee, or mortgagee;

(3) The distance between the person's property and the property that is the subject of the application before the Commission;

(4) The environmental, economic, social, or other impacts likely to affect the person and/or the person's property if the action requested of the Commission is approved or denied; and

(5) An explanation of how the person's interest as identified in response to paragraph (4) would likely 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.

The Commission shall determine who will be recognized as a party. In so determining, the Commission shall consider whether the provisions of § 3022.3 have been complied with and whether the specific information presented qualifies the person as a party. The Commission shall grant party status only if the person requesting party status has clearly demonstrated that the person's interests would likely be more significant, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

Any person wishing to be considered a party should clearly state the request, and should also provide a daytime telephone number should it be necessary for the Office of Zoning to obtain additional information or clarification prior to the hearing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

The Zoning Commission hereby gives notice of the following procedures applicable to this case. Any person requesting to appear as a party to this application shall submit the following additional information:

1. A summary of the testimony of each witness.

2. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes of qualifications of the proposed experts.

3. The total amount of time being requested to present the case.

The information cited above shall also be submitted by the Applicant. To the extent that the information is not contained in the Applicant's prehearing submission as required by 11 DCMR § 3013.1, the information shall be filed no later than fourteen (14) days before the date of the hearing.

If an affected Advisory Neighborhood Commission (ANC), pursuant to 11 DCMR § 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited above relating to the hearing procedures. However, the written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.

The Zoning Commission gives further notice that it intends to establish time limits for oral presentations of both parties and persons. Accordingly, the following time limits shall apply:

1.	Applicant	60 minutes
2.	Other Parties	15 minutes
3.	Organizations	5 minutes
4.	Individuals	3 minutes

The Commission intends to adhere to the time limits as strictly as possible, in order to hear the case in a reasonable period of time. The Commission reserves the right to change the time limits for presentations if necessary and notes that no time shall be ceded. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points.

Information should be forwarded to the Director, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C. 20001. Please include the number of this particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, PETER G. MAY, AND JAMES H. HANNAHAM --------- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY ALBERTO P. BASTIDA, AICP, SECRETARY TO THE ZONING COMMISSION.