

Holland & Knight

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October 24, 2014

DENNIS R. HUGHES
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BY HAND DELIVERY

District of Columbia Zoning Commission
441 4th Street, NW
Second Floor
Washington, DC 20001

Re Zoning Commission Application No. 14-15
1244 South Capitol Residential, L.L.C
Prehearing Submission and Request for Additional Variance

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Dear Members of the Zoning Commission

On behalf of 1244 South Capitol Residential, L L C (the "Applicant"), owner of the Property, we submit the following materials in advance of the public hearing scheduled for this application on November 13, 2014

- Applicant's Prehearing Statement, containing statement setting forth compliance with design review requirements of the Capitol Gateway (CG) Overlay and compliance with burden of proof for special exception and variances request, excerpt of Zoning Map showing the Property; updated architectural drawings, traffic impact study; and witness resumes,
- Revised Form 108 - Application for Design Review - form revised to include request for loading variance relief,
- Supplemental Form 126- Fee Calculator, for additional variance request, and
- Supplemental application fee in the amount of \$1,040, payable to District of Columbia Treasurer, for additional variance request

Thank you for your consideration of these materials

Respectfully submitted,
HOLLAND & KNIGHT LLP


Dennis R Hughes

Enclosures

cc Advisory Neighborhood Commission 6D
DC Office of Planning
DC Department of Transportation
#33644713_v1

ZONING COMMISSION
District of Columbia
CASE NO. 14-15
EXHIBIT NO. 15
ZONING COMMISSION
District of Columbia
CASE NO. 14-15
EXHIBIT NO. 15



BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA



FORM 126 – BOARD OF ZONING ADJUSTMENT FEE CALCULATOR

Per §3180 of the Zoning Regulations, at the time of the filing of an application or an appeal with the Board of Zoning Adjustment, the applicant or appellant shall pay a filing fee in accordance the fee calculator below. In the case of an application combining two (2) or more actions, or for an application requesting consideration of more than one alternative, the fee shall be the total of the amounts for each action or alternative computed separately. However, for applications involving owner-occupied, one-family dwellings or flats, regardless of the number of variances, special exceptions, or alternatives requested, the fee is three hundred and twenty-five dollars (\$325.00). A department, office, or agency of the Government of the District of Columbia shall not be required to pay a filing fee where the property is owned by the agency and the property is to be occupied for a government building or use.

APPLICATION OR APPEAL TYPE:	FEE	UNIT	TOTAL
VARIANCE:			
Owner-Occupied Dwelling	\$325		
All Other Variances Per Section Requested	\$1,040	1	\$1,040
TOTAL FOR VARIANCES:			\$1,040
SPECIAL EXCEPTION:			
Parking Lot/Garage/Accessory Parking (per space)	\$104		
Child Development Center (per student)	\$33		
Private School (per student)	\$33		
Residential Under §353	\$520		
CBRF (per person)	\$104		
Office Use in SP (per 100 square feet)	\$52		
Roof Structures	\$2,600		
Hotel or Inn in SP (per room or suite)	\$104		
Gasoline Service Station	\$5,200		
Repair Garage	\$1,560		
Home Occupation	\$1,560		
Accessory Apartment Under §202	\$325		
Theoretical Lot Under §2516	\$1,560		
Additional Theoretical Lot Under §2516	\$520		
Recycling Facility Under §802	\$5,200		
Antenna Under §211	\$2,600		
Any Other Special Exception	\$1,560		
Chancery (per 100 square feet)	\$65		
Owner-Occupied Special Exception	\$325		
Time Extension/Modification – Owner Occupied	\$130		
Time Extension/Modification – All other (percentage of filing fee)	26%		
TOTAL FOR SPECIAL EXCEPTIONS:			
APPEAL:			
NCPC/ANCs/Citizens Association/Civic Association/Not-for-Profits	\$0		
All other organizations, groups or persons	\$1,040		
TOTAL FOR APPEALS:			
GRAND TOTAL:			\$1,040
I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. (D.C. Official Code § 22-2405)			
Name:	Dennis R. Hughes		Signature: 
Exhibit No.	Last Revised (10/18/10)		Case No.



BEFORE THE ZONING COMMISSION
OF THE DISTRICT OF COLUMBIA



FORM 108 - APPLICATION FOR DESIGN REVIEW REVISED

Before completing this form, please review the instructions on the reverse side.
Print or type all information unless otherwise indicated. All information must be completely filled out.

☒ **New Application** ☐ **Modification to a Previously Approved Design Review Application**

Pursuant to:

☒ **11 DCMR § 1610 – Capitol Gateway (CG) Overlay District** ☐ **11 DCMR § 1809 – Southeast Federal Center (SEFC) Overlay**
☐ **11 DCMR § 2801 – Hill East (HE) District** ☐ **11 DCMR § 2917 thru 2919 – Union Station North (USN) District**

an application is hereby made, the details of which are as follows:

Address(es)	Square(s)	Lot No.(s)	Zone District(s)
1244 South Capitol Street, SE	700	37-39, 45, 46, 803	CG/CR
		plus alley to be closed	

Present use(s) of Property: Vacant, temporary seasonal parking

Proposed use(s) of Property: Residential, retail/service

Owner of Property: 1244 South Capitol Residential, L.L.C.

Address of Owner: 4445 Willard Avenue, Suite 400, Chevy Chase, MD 20815

Phone No.(s): E-Mail:

Single-Member Advisory Neighborhood Commission District(s): 6D 02

Brief description of proposal: Application for Zoning Commission review pursuant to Capitol Gateway (CG) Overlay (11 DCMR 1605 and 1610), for area variance relief from the court dimension requirements of 11 DCMR 638 2(a) and loading requirements (11 DCMR 2201 1)(pursuant to 11 DCMR 1610 7 and 3103 2) and for special exception approval of penthouse not meeting required setback of 11 DCMR 630.4(b)(pursuant to 11 DCMR 1610.7 and 3104).

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. (D.C. Official Code § 22 2405)

Date: 10/24/14 Signature*: [Signature]

To be notified of hearing and decision (Owner or Authorized Agent*):

Name: Norman M Glasgow, Jr, Dennis R Hughes E-Mail: dennis.hughes@hklaw.com

Address: Holland & Knight LLP, 800 17th Street, NW, Washington, DC 20006

Phone No (s): 202 955 3000 Fax No.: 202 955 5564

* To be signed by the Owner of the Property for which this application is filed or his/her authorized agent. In the event an authorized agent files this application on behalf of the Owner, a letter signed by the Owner authorizing the agent to act on his/her behalf shall accompany this application.

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