#### LAW OFFICES

# GRIFFIN, MURPHY, MOLDENHAUER & WIGGINS, LLP

MARK G. GRIFFIN (DC, MD) BRIAN P. MURPHY (DC, MD) ASHLEY E. WIGGINS (DC, MD) MERIDITH H. MOLDENHAUER (DC, MD) SAMANTHA MAZO (DC. MD) Y. AJOKE AGBOOLA (MD, DC) Bruce M. James (MD, DC) LENEHN N. RICKS (MD, DC\*) W. LAWRENCE FERRIS (MD, DC) \*Pending

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February 13, 2017

Frederick Hill, Chairperson Board of Zoning Adjustment 441 4th Street, NW, Suite 210S Washington, DC 20001

Case No. 19452 — of District Department of General Services Re:

Revised Form 135 – Self Certification

Dear Chairman Hill and Honorable Members of the Board:

On behalf of Applicant District of Columbia Department of General Services, please find enclosed the revised Self-Certification Form 135. The Applicant provides this to reflect that the relief for FAR, Height, and Loading/Delivery Space in the MU-4 Zone (§§ G-402.1, 403.1; § C-901.1).

The BZA notifications mailed to owners within 200 feet and BZA Hearing signs posted on the Property indicate that these areas of relief are being requested as variances. Additionally, the Applicant has outlined how the Project satisfies the standard for the requested variance relief as set forth in the initial Statement of the Applicant, found at BZA Exhibit 7.

The application is scheduled to be heard before the Board of Zoning Adjustment on March 1, 2016. Thank you for your attention to this matter.

Sincerely,

GRIFFIN, MURPHY, MOLDENHAUER & WIGGINS, LLP

By: Meridith H. Moldenhauer



# BEFORE THE BOARD OF ZONING ADJUSTMENT DISTRICT OF COLUMBIA



#### **FORM 135 – ZONING SELF-CERTIFICATION**

| Project Address(es)         | Square | Lot(s) | Zone District(s) |
|-----------------------------|--------|--------|------------------|
| 1700 Rhode Island Avenue NE | 4134   | 0800   | MU-4             |
|                             |        |        |                  |
|                             |        |        |                  |

Single-Member Advisory Neighborhood Commission District(s):

5B03

#### **CERTIFICATION**

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

| Relief Sought           |  | X § 1000.1 - Use Variance | X                       | X § 1002.1 - Area Variance | K | X § 901.1-Special Exception |  |
|-------------------------|--|---------------------------|-------------------------|----------------------------|---|-----------------------------|--|
| Pursuant to Subsections |  |                           | G-403.1; 402.1; C-901.1 |                            |   | U-420.1(f); C-701.5         |  |

Pursuant to 11 DCMR Y § 300.6, the undersigned agent certifies that:

- G-404.1; 202.1; 405.5(a)
- (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; and
- (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 (BZA) 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 is 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 BZA.

The undersigned owner hereby authorizes the undersigned agent to act on the owner's behalf in this matter.

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 form 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)

| Owner's Signature      |            |              | Owner's Name (Please Print) District of Columbia |   |                               |  |  |
|------------------------|------------|--------------|--|---|-------------------------------|--|--|
| MAMM Adent's Signature |            |              |  | Agent's Name (Please Print) Meridith H. Moldenhauer |                               |  |  |
| Date                   | 02/13/2017 | D.C. Bar No. | 494695   | or  | Architect<br>Registration No. |  |  |

#### **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 this form. All certification forms must be <u>completely</u> filled out (front and back) and be typewritten or printed legibly. All information shall be furnished by the applicant. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form.
- 2. Complete one self-certification form for each application filed. Present this form with the Form 120 Application for Variance/Special Exception to the Office of Zoning, 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, D.C. 20001.

| ITEM  | EXISTING<br>CONDITIONS | MINIMUM<br>REQUIRED | MAXIMUM<br>ALLOWED | PROVIDED BY PROPOSED CONSTRUCTION | VARIANCE<br>Deviation/Percent |
|---|------------------------|---------------------|--------------------|-----------------------------------|-------------------------------|
| Lot Area<br>(sq. ft.)                           | 12,336                 | N/A                 | -                  | 12,336                            | -                             |
| Lot Width<br>(ft. to the tenth)                 | 100                    | N/A                 | -                  | 100                               | -                             |
| Lot Occupancy<br>(building area/lot area)       | 28.42%                 | -                   | 60%                | 73%                               | 13%                           |
| Floor Area Ratio (FAR)<br>(floor area/lot area) | 0.728                  | -                   | 2.5                | 3.51                              | 1.01                          |
| Parking Spaces (number)                         | None                   | 22                  | -                  | 4                                 | 18 Spaces                     |
| Loading Berths<br>(number and size in ft.)      | None                   | 1                   | -                  | None                              | 1 Loading Berth               |
| Front Yard<br>(ft. to the tenth)                | N/A                    | N/A                 | -                  | N/A                               | -                             |
| Rear Yard<br>(ft. to the tenth)                 | 36                     | 15                  | -                  | 7.5                               | 7.5                           |
| Side Yard<br>(ft. to the tenth)                 | N/A                    | -                   | -                  | -                                 | -                             |
| Court, Open<br>(width by depth in ft.)          | None                   | 23.73               | -                  | 17                                | 6.73                          |
| Court, Closed<br>(width by depth in ft.)        | None                   | -                   | -                  | -                                 | -                             |
| Height (ft. to the tenth)                       | 50 ft. to Flank Wall   | -                   | 50                 | 69.83                             | 19.83                         |



If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete Form 155 - Request for Reasonable Accommodation.

### **CERTIFICATE OF SERVICE**

I hereby certify that on February 13, 2017, I served a copy of the revised Self-Certification Form 135 on the following via email:

# **D.C. Office of Planning**

Maxine Brown-Roberts 1100 4<sup>th</sup> Street, SW, Suite E650 Washington, DC 20024 Maxine.BrownRoberts@dc.gov

#### **Advisory Neighborhood Commission 5B**

Ursula Higgins, Chairperson 1920 Irving Street, NE Washington, DC 20018 5b02@anc.dc.gov Henri Makembe, Single Member District 5B03 5b03@anc.dc.gov

# **Advisory Neighborhood Commission 5C**

Jacqueline Manning, Chairperson Jacquemanning8@aol.com Yolanda Odunsi, Single Member District 5C07 yodunsi1@gmail.com

#### **DDOT**

Evelyn Israel 55 M Street, SE, Suite 400 Washington, DC 20003 Evelyn.israel@dc.gov

# **Citizens for Responsible Options**

David W. Brown, Knopf & Brown 401 E. Jefferson Street, Suite 206 Rockville, MD 20850 brown@knopf-brown.com joy@knopf-brown.com

Meridith H. Moldenhauer