



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**



(last revised 6.23.17)

REQUEST FOR MODIFICATION OF PLANS APPROVED BY THE ZONING COMMISSION

(Pursuant to Zoning Commission Order No. 08-06F, 11 DCMR A-304.5 through A-304.9)

Building Permit Application #: _____ (the "Application")

Property Address: 101 Tingey Street, SE (the "Property")

 Square: 770 Lot(s): Lot 804

1. Provide the Order Number(s) (e.g., "ZC 12-34") for the Zoning Commission (the "ZC") that the property is subject to:
 ZC Order No.: 03-05

2. Do the building permit plans submitted differ in any way (e.g., use, building envelope, façade design, shape, or floorplans) from the plans authorized by the Order(s), including any conditions of the Order(s) and the approved plans?
 - Yes. Provide a list of the proposed changes and illustrations comparing the portions of the "approved" plans that are proposed to be varied to the "proposed" plans. This should include highlighting changed features through graphic bubbling.
 - No. Skip to the signature line (#7) below to complete the form.

3. Are all proposed changes identified in #2 above solely limited to minor internal floorplan or mechanical changes not involving any standards identified in subsections A-304.5(a)-(d)?
 - Yes. Provide a written justification as to why the changes identified in #2 are limited to such minor internal floorplan or mechanical changes. No written request for ZA minor flexibility is required and skip to the signature line (#7) below to complete the form.
 - No. Continue to the next question.

4. Are any of the changes identified in #2 covered by flexibility specifically granted by a condition(s) of the Order(s)?
 - Yes, all of the changes. Provide a written justification highlighting the terms of the flexibility granted in the Order and describe how the proposed modifications are allowable pursuant to the flexibility. No written request for ZA minor flexibility is required and skip to the signature line (#7) below to complete the form.
 - Yes, some of the changes. Provide a written justification that identifies which of the proposed modifications are allowable pursuant to the flexibility granted in the Order. Continue to the next question to address the remainder of the proposed modifications that are not allowable pursuant to the flexibility.
 - No. Continue to the next question.

5. If the flexibility provided in the Order(s) does not cover some or all of the proposed modifications listed in the response to #2 above, or where no flexibility was provided in the Order(s), do the remaining proposed modifications qualify for the minor flexibility that the Zoning Administrator is authorized to grant under Section A-304.5?
 - Yes. Provide a written request for ZA minor flexibility as required by Section A-304.5. Make sure that this request addresses each criteria provided in Section A-304.5, including the requirement that the proposed modifications are consistent with the intent of the ZC in approving the relevant Order. Continue to the next question.
 - No. Skip to the signature line (#7) below to complete the form and then separately apply to the Zoning Commission for a modification pursuant to A-304.9.

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ZONING COMMISSION
 District of Columbia
 CASE NO.13-05
 EXHIBIT NO.40

6. In cases where a written request for ZA minor flexibility is submitted, all parties (including the affected ANC(s)) to the applicable ZC case listed in response to #1 must be served with a copy of the request for minor flexibility. Such a copy must include any supporting plan documents, as required by Section A-304.6. Enter the following information, including the email addresses (or mailing address if necessary) that the written request was sent to:

Date of service by Applicant: 11/19/18 (attach a certificate of service)

ANC 6D : office@anc6D.org

ANC(SMD) 6D07 : Meredith Fascett (meredith.fascett@gmail.com)

Parties: None

7. Signature

See Attached

11/16/18

Property owner (signature)

Date

c/o Christine Shiker, Holland & Knight LLP, christine.shiker@hklaw.com; 202-955-3000

Property owner or agent email address and phone number

For DCRA internal use only (execute as appropriate).

- The ZA has received a written request for minor modifications to approved plans related to the Order above which the Applicant attests was served on all necessary parties. The ZA has determined that the proposed modifications are consistent with Section A-304.5. Therefore, the ZA is hereby providing written notice of APPROVAL.

Pursuant to A-304.5, no modified building permit may be issued during a 45 day period that begins on the date this report is sent to the Zoning Commission ("Commission") unless the Commission advises the ZA that it concurs that the modification is permitted by A-304.5.

Matthew Z. Lee

12-24-18

Zoning Administrator signature

Date of approval

Date of Service: 12-24-2018

Forty-five day hold date: 2-7-2019

cc: Zoning Commission and all parties identified in #6 above
Attachments: Applicant's written request for ZA minor flexibility and supporting documents

- No written request for ZA minor flexibility is required.

OZA signature

Date of approval

- The ZA DENIES the request for minor modifications to approved plans as inconsistent with Section A-304.5.

OZA signature

Date of denial