

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



December 17, 2012

Norman M. Glasgow, Jr.  
Steven E. Sher  
Director of Zoning and Land Use Services  
Holland & Knight LLP  
2099 Pennsylvania Avenue, N.W. - Suite 100  
Washington, D.C. 20006

Re: 1442 Pennsylvania Avenue, S.E.

Gentlemen:

This is to confirm the substance of our discussions on Wednesday, October 17, 2012, and Monday, October 22, 2012, concerning the development of the above-referenced property located at the northwest corner of the intersection of Pennsylvania Avenue and 15th Streets, S.E. The site is known as Lot 49 in Square 1065NE. The property is zoned C-2-A.

In Order No. 17860, dated January 8, 2009, the Board of Zoning Adjustment (BZA) approved variances from the floor area ratio requirements (§771), the rear yard requirements (§774) and the parking requirements (§2101.1) to allow the construction of a two story commercial building on the subject property. In Order No. 17860-B, dated March 8, 2011, the BZA approved a two-year extension of the validity of the order, such that the approval is valid though January 8, 2013, by which time an application for a building permit must be filed. The plans submitted to the BZA, dated July 8, 2011, were marked as Exhibit 9 of the record. A copy of those plans is attached.

You advised that the developer has proposed to revise the plans to put a different façade on the building and to make other minor changes to the design. A copy of the revised plans, dated October 22, 2012, is also attached.

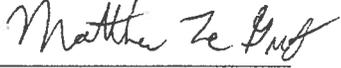
The revised plans require no greater relief than was approved by the BZA. The gross floor area of the building has actually been reduced, from 14,554 square feet (2.0 FAR) to 13,081 square feet (1.80 FAR). The rear yard required (15 feet) remains the same and the rear yard provided (none) remains the same. The number of parking spaces required (a total of 29 for the retail use on the ground floor and office use on the second floor) remains the same and the number provided (none) remains the same. Our review of the revised plans indicates that no additional relief is required from any other portion of the Zoning Regulations.

Because the changes to the plans do not affect the relief required by the Board (and the extent of the FAR variance is actually reduced) and because the revised plans do not require any additional areas of relief, I hereby confirm that you may proceed with the revised plans without

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the need to seek any further approval from the BZA. Please let me know if I may be of further assistance.

Sincerely,   
Matthew Le Grant  
Zoning Administrator

Attachments:     - Approved BZA#17860 Plan Set  
                      - Revised Plan Set dated 10-22-12