



2221 14th Street NW

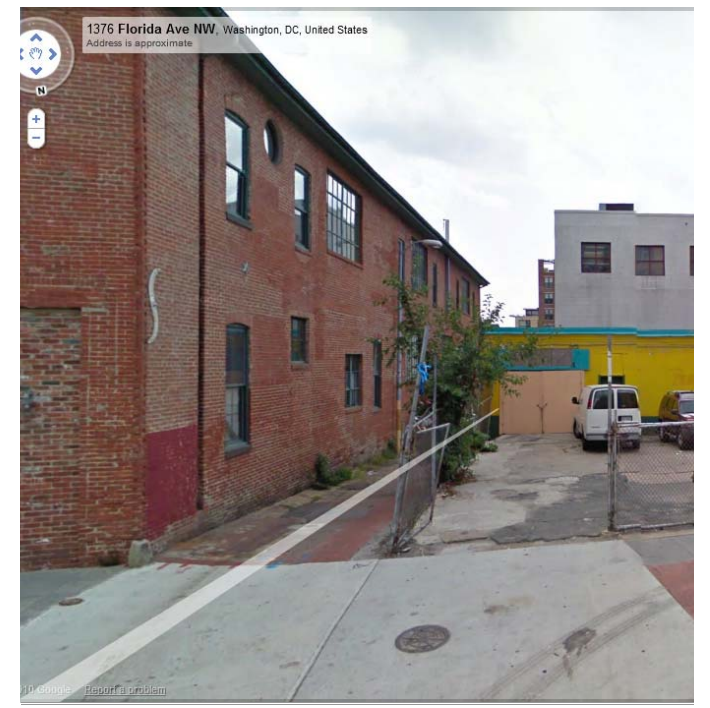
10.12.2010



Aerial Photo



View from Corner 14 & FL



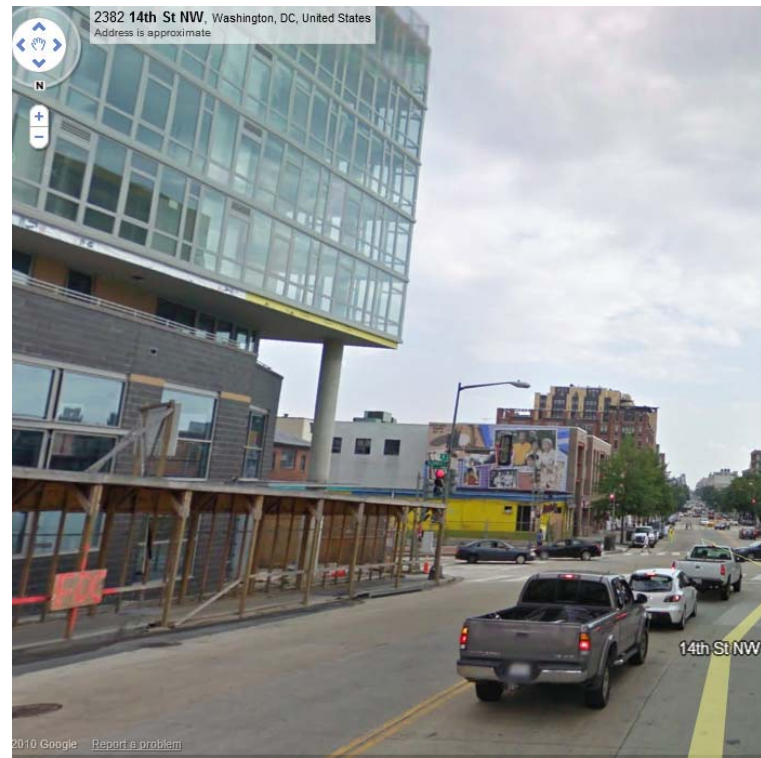
View of Alley



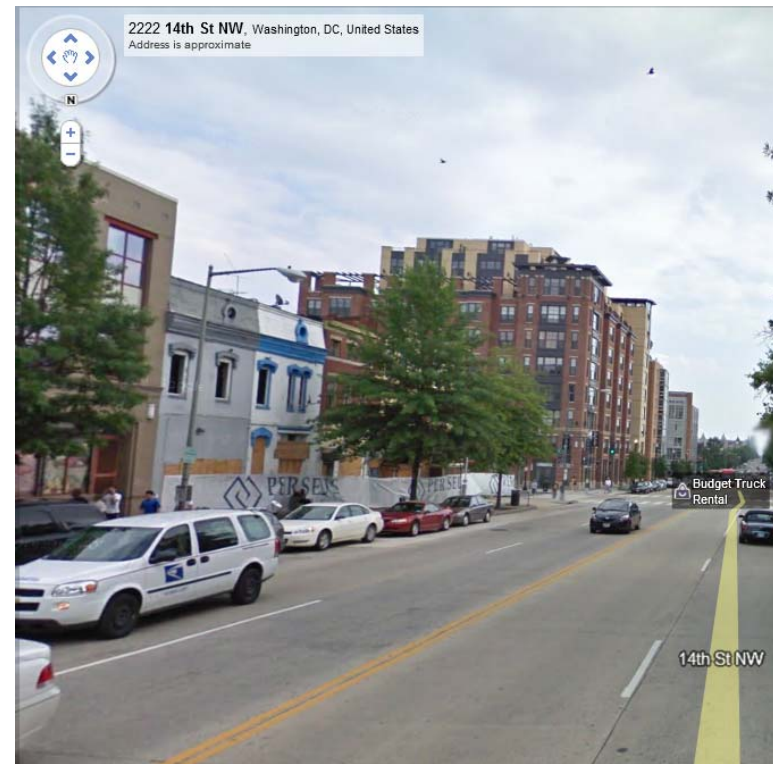
View from North

2221 14th Street NW

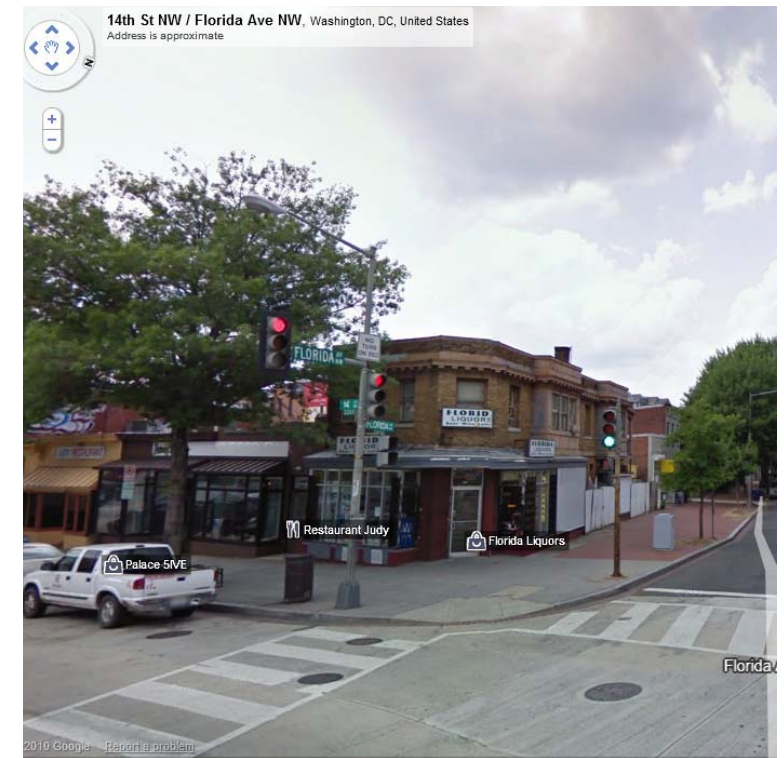
Context Images



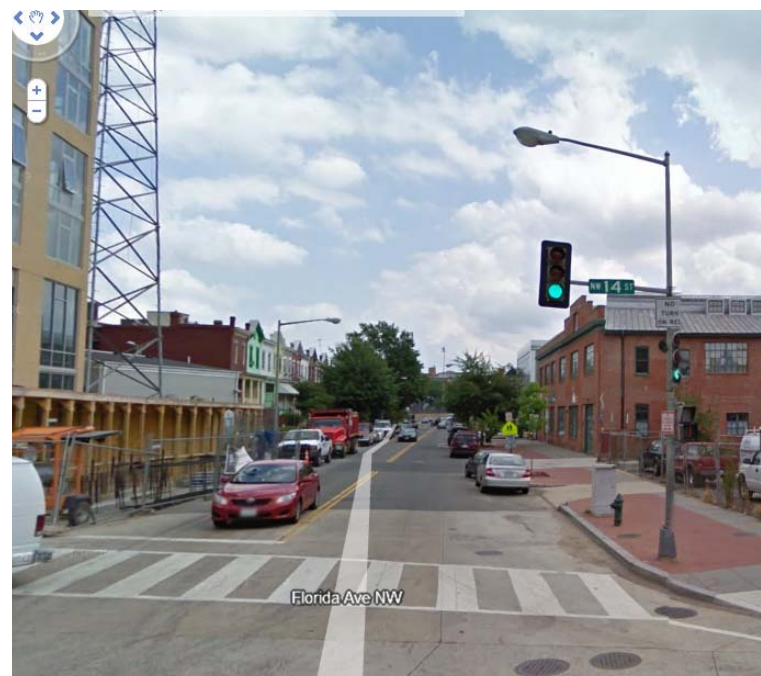
View from 14th Street



View down 14th Street



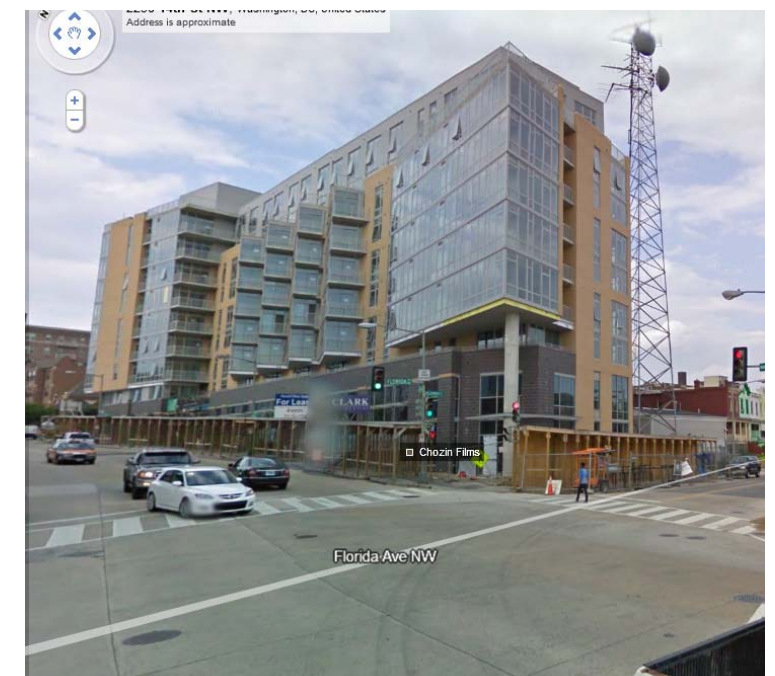
SW Corner of 14th & FL



View up FL Ave



NW Corner of 14th & FL



NE Corner of 14th & FL

2221 14th Street NW



2221 14th Street NW

View from Northwest
Option A



2221 14th Street NW

View from Northwest
Option B



2221 14th Street NW

North Elevation

R2L:ARCHITECTS



2221 14th Street NW

West Elevation,
Option A



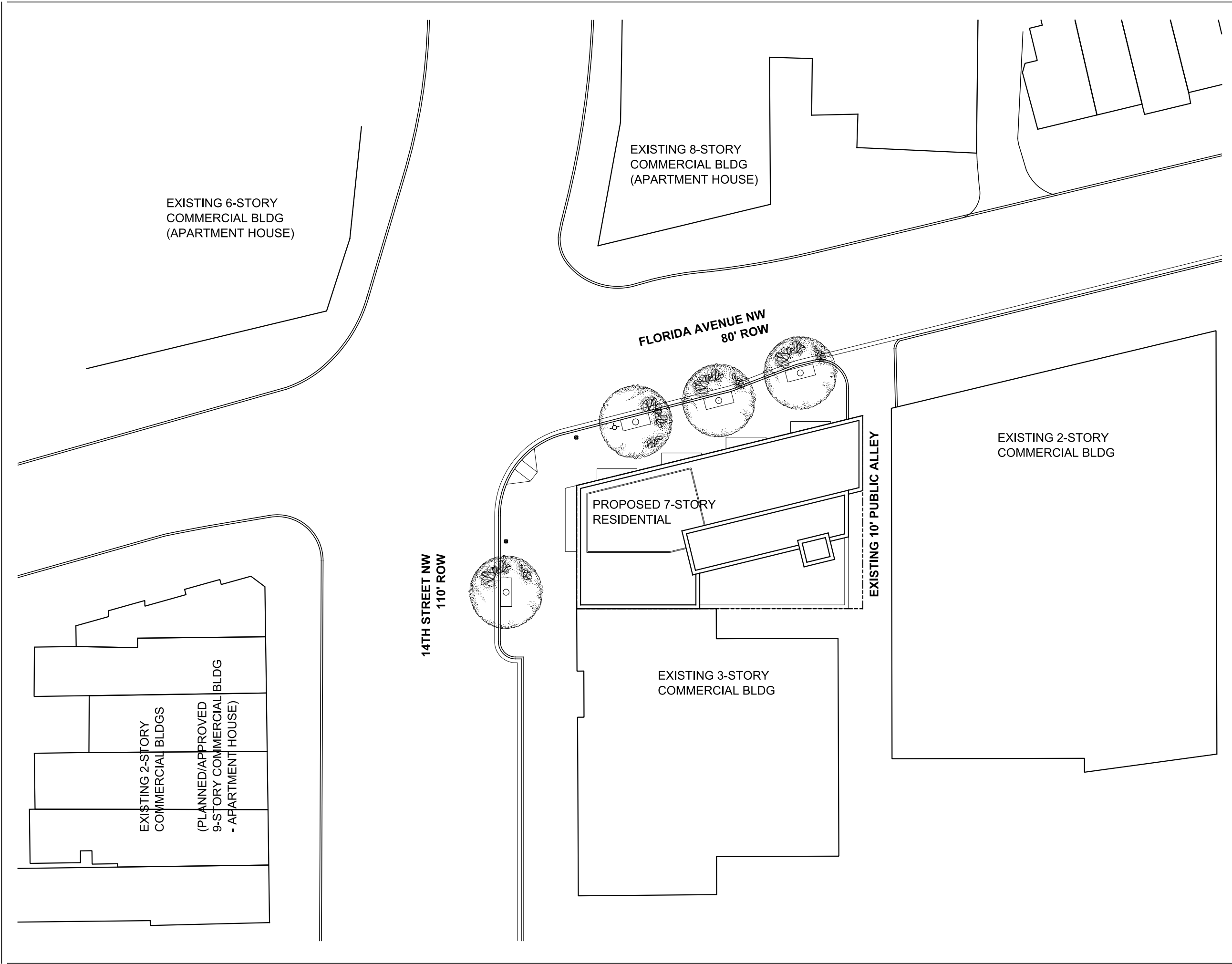
2221 14th Street NW

West Elevation
Option B



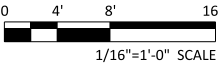
2221 14th Street NW

Florida Ave. Storefront



03	DDOT PDRM	10.12.10
02	SD PRICING	10.04.10
01	BZA FILING	09.24.10
NUMBER	ISSUE	DATE

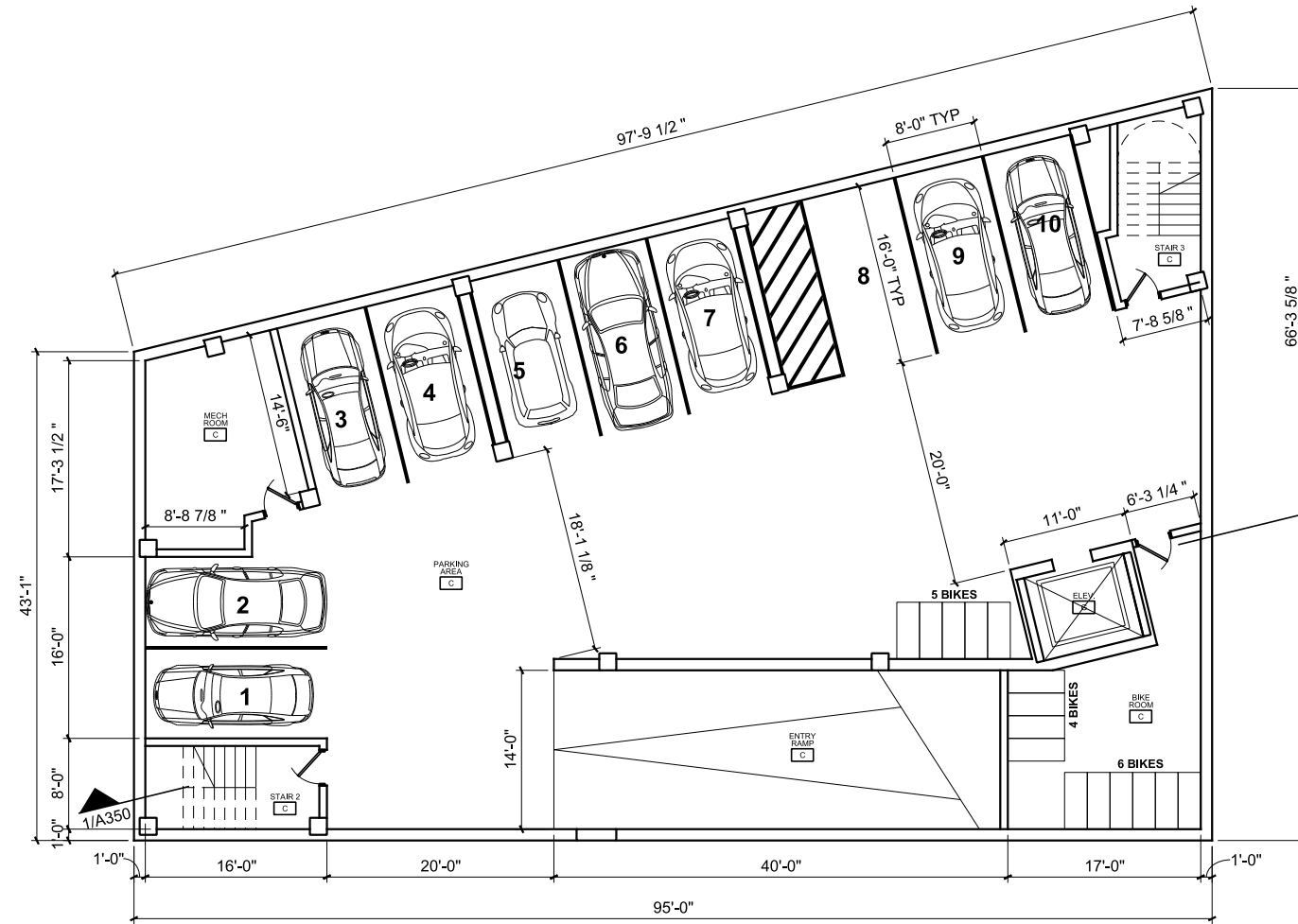
APARTMENT HOUSE
2221 14th Street NW
Washington, DC 20009



VICINITY
PLAN

A101

FOR PRELIMINARY/REFERENCE
PURPOSES ONLY
NOT FOR CONSTRUCTION OR
REGULATORY REVIEW



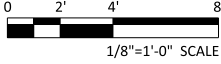
1 CELLAR FLOOR PLAN
SCALE: 1/8" = 1'-0"

03	DDOT PDRM	10.12.10
02	SD PRICING	10.04.10
01	BZA FILING	09.24.10
NUMBER	ISSUE	DATE

APARTMENT HOUSE
2221 14th Street NW
Washington, DC 20009



PLAN NORTH



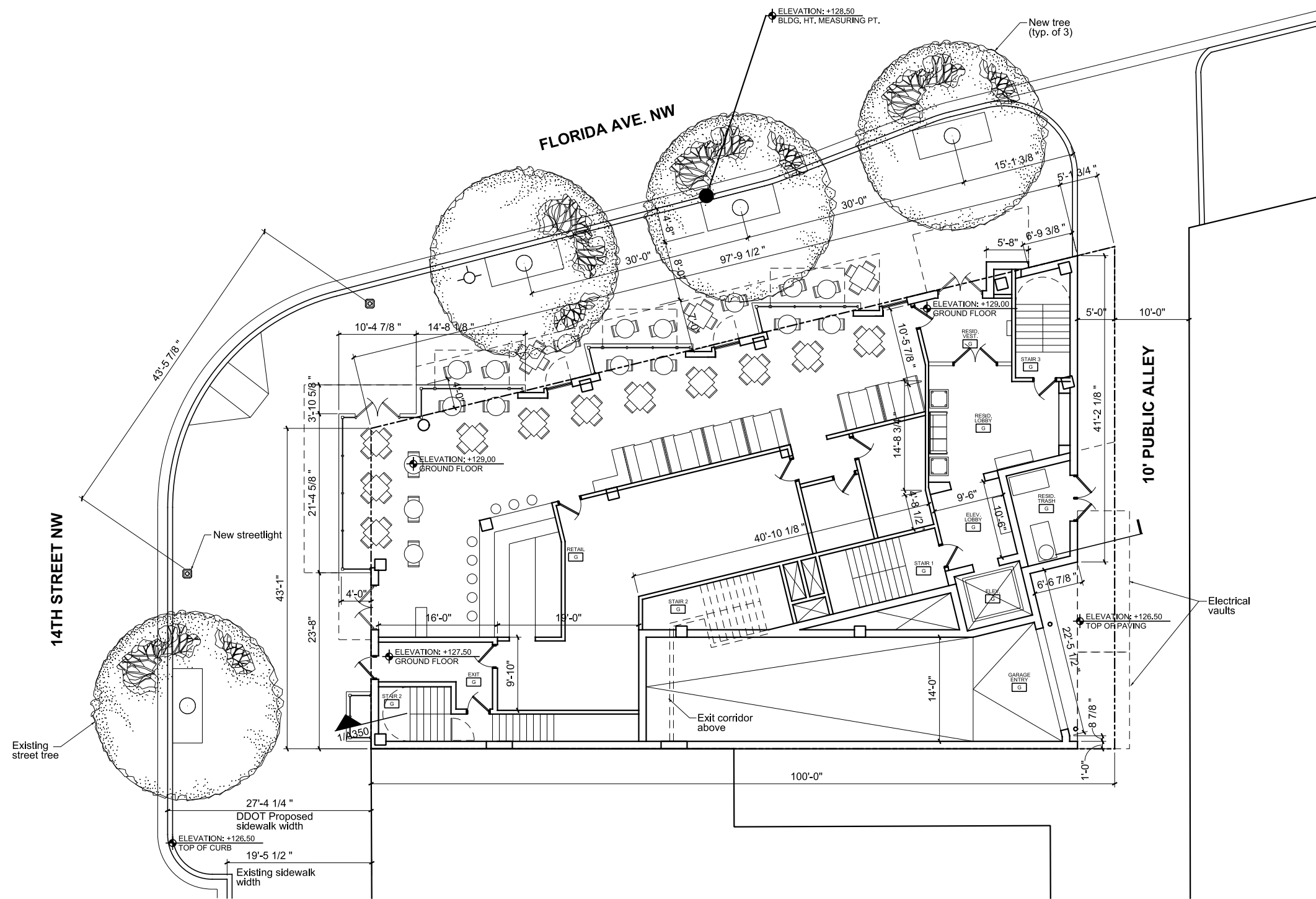
1/8"=1'-0" SCALE

DRAWING SCALE

**CELLAR
FLOOR PLAN**

A201

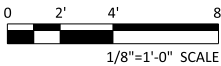
**FOR PRELIMINARY/REFERENCE
PURPOSES ONLY
NOT FOR CONSTRUCTION OR
REGULATORY REVIEW**



1 GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"

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02	SD PRICING	10.04.10
01	BZA FILING	09.24.10
NUMBER	ISSUE	DATE

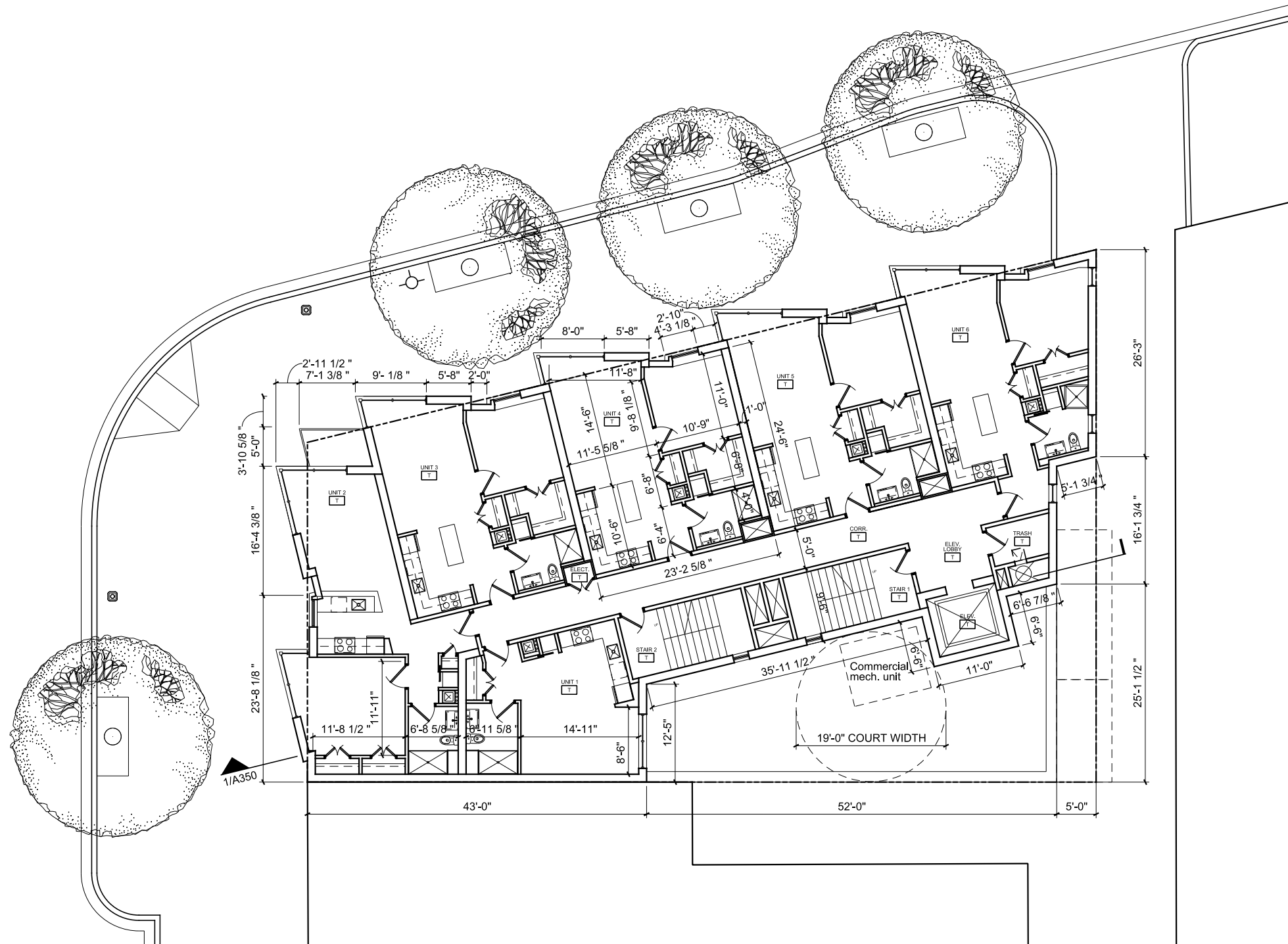
APARTMENT HOUSE
2221 14th Street NW
Washington, DC 20009



GROUND FLOOR PLAN

A202

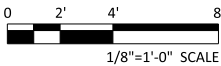
**FOR PRELIMINARY/REFERENCE
PURPOSES ONLY
NOT FOR CONSTRUCTION OR
REGULATORY REVIEW**



1 TYPICAL FLOOR PLAN (2-6)
SCALE: 1/8" = 1'-0"

03	DDOT PDRM	10.12.10
02	SD PRICING	10.04.10
01	BZA FILING	09.24.10
NUMBER	ISSUE	DATE

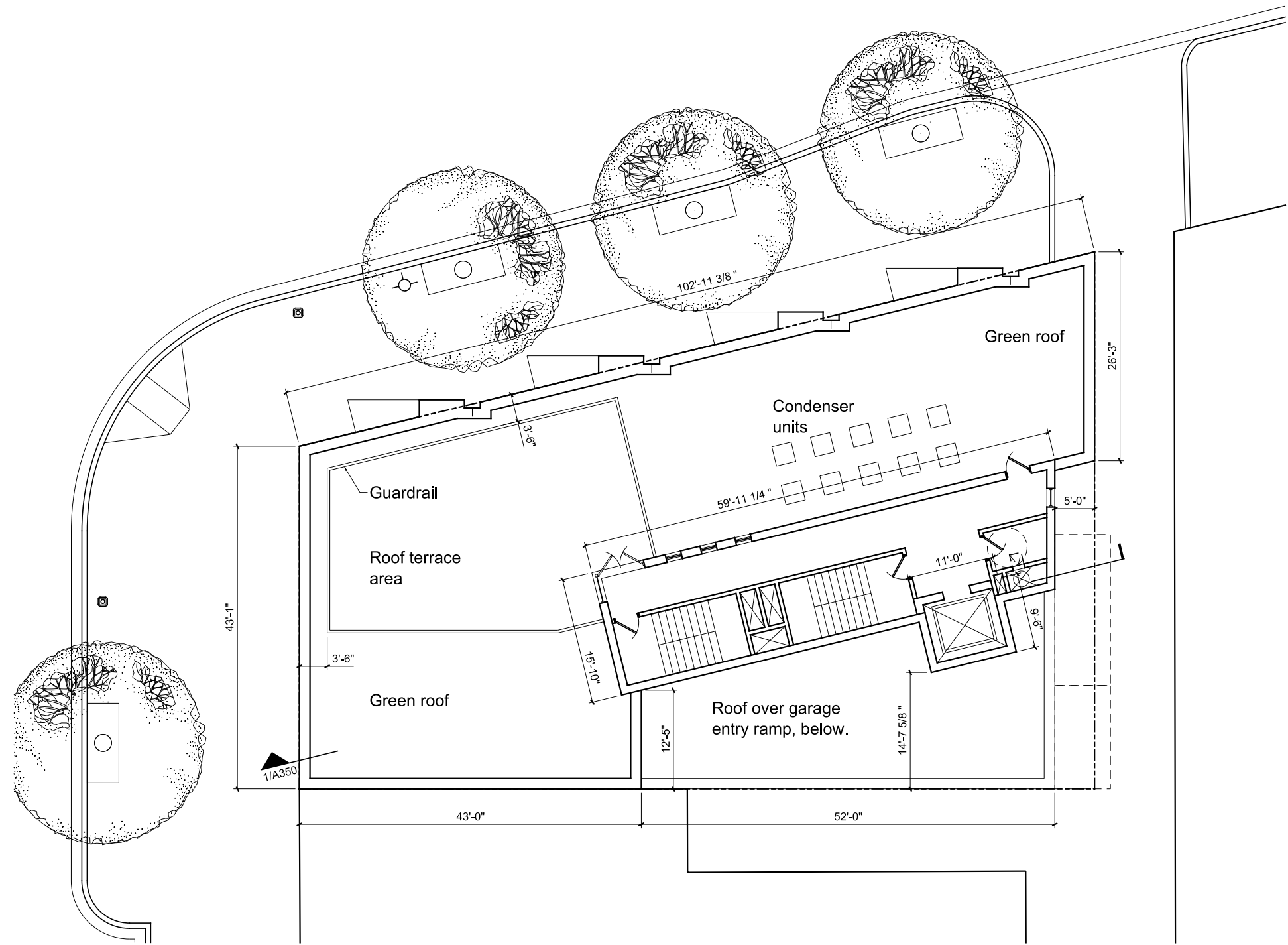
APARTMENT HOUSE
2221 14th Street NW
Washington, DC 20009



TYPICAL FLOOR
PLAN (2-6)

A203

FOR PRELIMINARY/REFERENCE
PURPOSES ONLY
NOT FOR CONSTRUCTION OR
REGULATORY REVIEW



1 ROOF DECK PLAN
 SCALE: 1/8" = 1'-0"

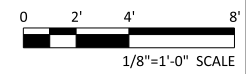
03	DDOT PDRM	10.12.10
02	SD PRICING	10.04.10
01	BZA FILING	09.24.10
NUMBER	ISSUE	DATE

APARTMENT HOUSE
 2221 14th Street NW
 Washington, DC 20009

PROJECT



PLAN NORTH



DRAWING SCALE

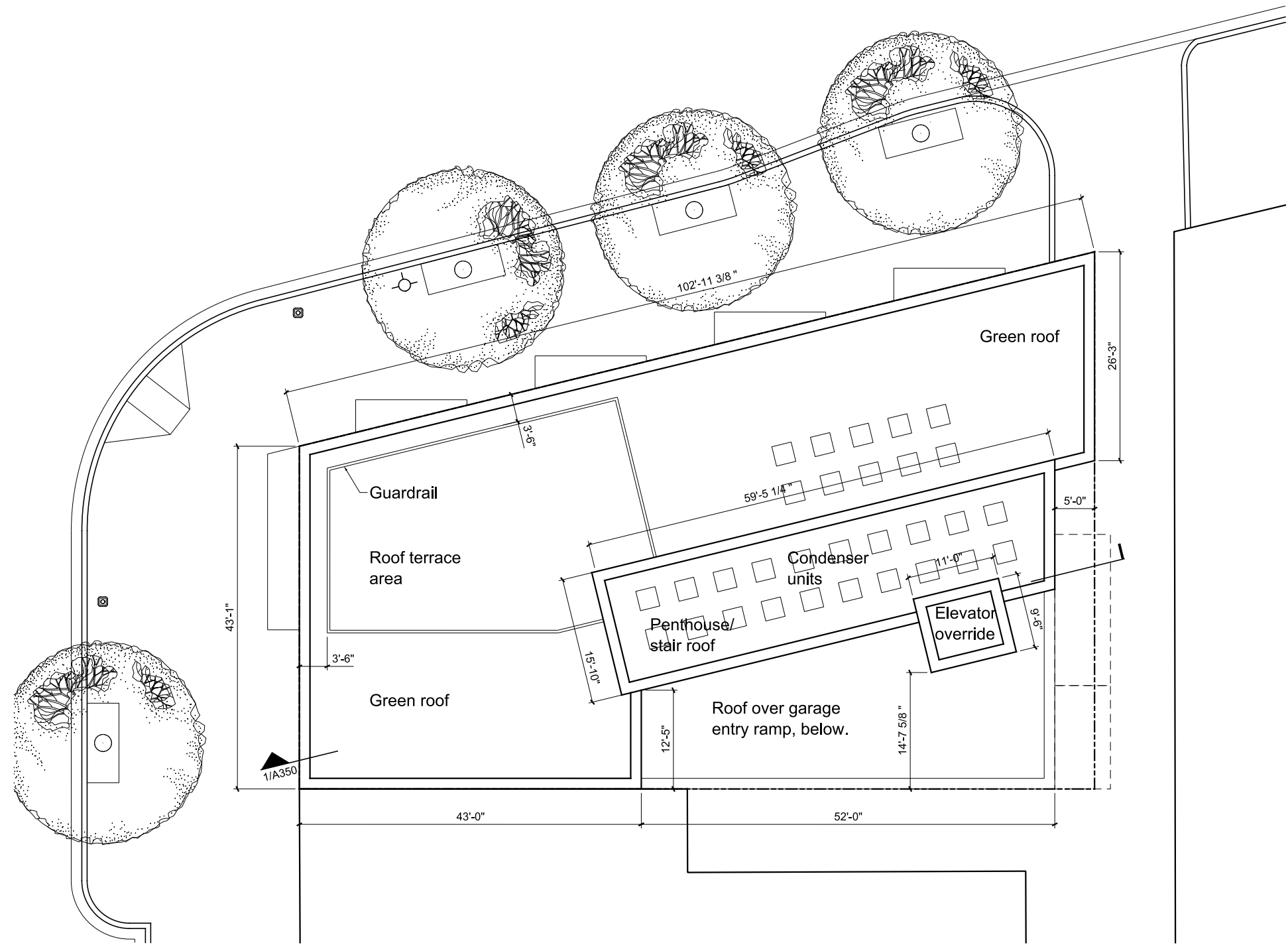
ROOF DECK PLAN

TITLE

A204

DRAWING NUMBER

**FOR PRELIMINARY/REFERENCE PURPOSES ONLY
 NOT FOR CONSTRUCTION OR REGULATORY REVIEW**



1 ROOF PLAN
SCALE: 1/8" = 1'-0"

R2L:ARCHITECTS
5112 MacArthur Blvd #2
Washington, DC 20016
srosen@R2L-architects.com
(202) 285-8937

ARCHITECT
2221 14th Street LLC
702 H Street NW, Fourth Floor
Washington, DC 20001

OWNER

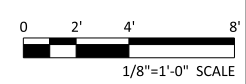
02	SD PRICING	10.04.10
01	BZA FILING	09.24.10
NUMBER	ISSUE	DATE

APARTMENT HOUSE
2221 14th Street NW
Washington, DC 20009

PROJECT



PLAN NORTH



1/8"=1'-0" SCALE
DRAWING SCALE

ROOF PLAN
TITLE

A205

DRAWING NUMBER

**FOR PRELIMINARY/REFERENCE PURPOSES ONLY
NOT FOR CONSTRUCTION OR REGULATORY REVIEW**

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



MEMORANDUM

To: Advisory Neighborhood Commission 18

From: Richard S. Nero, Jr. RN
Deputy Director of Operations

Date: NOV 15 2010

Re: BZA Application No. 18157

Pursuant to D.C. Official Code § 1-309.10 (b), the Board of Zoning Adjustment ("BZA") hereby gives notice that the above-mentioned application, the subject property of which is located within the boundaries of your Advisory Neighborhood Commission, was filed with the BZA on 11/09/10. A copy of the application is attached.

As a result of the issuance of this notice, your ANC now has thirty days, excluding Saturdays, Sundays, and holidays to submit its written recommendations to the BZA in accordance with D.C. Official Code § 1-309.10 (d) (1). Pursuant to D.C. Official Code § 1-309.10 (d) (2) the BZA may make its decision "at the close of business of the day after which the notice period concludes". However, no decision to approve the application will be made until the BZA holds a public hearing.

This is not a notice of that hearing. You will receive that second notice by first class mail not less than forty days prior to the hearing date. If the hearing date falls after the completion of your thirty day review period, no report is due until seven days prior to the hearing.

In order to assure that your Commission's written report will be given "great weight", please be certain it contains the information required by 11 DCMR § 3115.1, a copy which is attached.

If you have any questions, please contact the Office of Zoning at 202-727-6311.

APPROXIMATE HEARING DATE: JAN 2011

BZA Notice of Filing to ANC

441 4th Street, N.W., Suite 200/210-S, Washington, D.C. 20001

Telephone: (202) 727-6311

Facsimile: (202) 727-6072

E-Mail: dcoz@dc.gov

Web Site: www.dcoz.dc.gov

Holland & Knight

2099 Pennsylvania Avenue, N.W., Suite 100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564
Holland & Knight LLP | www.hklaw.com

18157
RECEIVED
D.C. OFFICE OF ZONING
2011 NOV -9 PM 1:56

Mary Carolyn Brown
(202) 862-5990
carolyn.brown@hklaw.com

November 9, 2010

Via Hand Delivery

Board of Zoning Adjustment
for the District of Columbia
441 4th Street, N.W., Suite 210S
Washington, D.C. 20001

Re: BZA Application – 2221 14th Street, N.W.
(Square 234, Lots 28, and 124-127)

Dear Board Members:

On behalf of Jemal's Hookers, LLC, we submit herewith an application and supporting materials requesting approval for a special exception and variance relief in order to construct a 30-unit residential building at 2221 14th Street, N.W., Washington, D.C. (Square 234, Lots 28 and 124-127). Enclosed are the following materials:

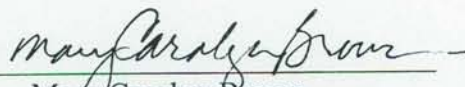
- A completed BZA Form 126 (fee calculator) and a check in the amount of \$9,880.00;
- A completed BZA Form 120 (application);
- A completed BZA Form 135 (self-certification)
- A building plat showing the subject property and proposed improvements;
- A statement of existing and intended uses of the subject property;
- A statement explaining how the application meets the specific tests identified in the Zoning Regulations;
- Photographs of the subject property;
- The name and mailing address of the owners of all property within 200 feet in all directions from all boundaries of the subject property, in both list and mailing label format;

- Letter from the property owner authorizing Holland & Knight LLP to file the application.

We respectfully request that the Board schedule the application for a public hearing on the next available date.

Very truly yours,

HOLLAND & KNIGHT LLP

By: 
Mary Carolyn Brown

Attachments

cc: Jennifer Steingasser, OP
Advisory Neighborhood Commission 1B
Deborah Thomas, ANC 1B04



BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA



FORM 120 - APPLICATION FOR VARIANCE/SPECIAL EXCEPTION

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.

Pursuant to §3103.2 - Area/Use Variance and/or §3104.1 - Special Exception of Title 11 DCMR- Zoning Regulations,
an application is hereby made, the details of which are as follows:

Address(es)	Square	Lot No(s).	Zone District(s)	Type of Relief Being Sought	
				Area Variance Use Variance Special Exception	Section(s) of Title 11 DCMR - Zoning Regulations from which relief is being sought
2221 14th St NW	234	28, 124-127	Arts/C-3-A	Special Exception	774.1, 770.6, 1902.1
				Area Variance	2101.1, 2115.1, 2117.5

Present use(s) of Property: vacant/used car sales lot

Proposed use(s) of Property: multi-family residential building

Owner of Property: Jemal's Hookers, LLC Telephone No: 202-638-6300

Address of Owner: c/o Douglas Development, 702 H St., N.W., Suite 400, Washington, D.C. 20001

Advisory Neighborhood Commission: ANC 1B Single-Member District(s): ANC 1B04

Written paragraph specifically stating the "who, what, and where of the proposed action(s)". This will serve as the Public Hearing Notice:

Application of Jemal's Hookers, LLC, pursuant to section 3104.1, for special exceptions from the rear yard depth (774.1), roof structure requirements (770.6) and height of roof structure (1902.1 and 1906.1); and pursuant to 3103.1 for variances from the number and size of parking spaces (2101.1 and 2115.1), and drive aisle width (2117.5) in order to construct a new 30-unit residential building in the Arts/C-3-A District at 2221 14th St., NW (Square 234, Lots 28, 124-127).

EXPEDITED REVIEW REQUEST

I waive my right to a hearing, agree to the terms in Form 128 - Waiver of Hearing for Expedited Review, and hereby request that this case be placed on the Expedited Review Calendar, pursuant to §3118.2 (CHOOSE ONE):

- ☐ A park, playground, swimming pool, or athletic field pursuant to §209.1, or
☐ An addition to a one-family dwelling or flat or new or enlarged accessory structures pursuant to §223

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: November 9, 2010

Signature*:

Mary Carolyn Brown

* 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.

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

Name: Mary Carolyn Brown/Norman M. Glasgow, Jr. E-Mail: carolyn.brown@hklaw.com; norman.glasgowjr@hklaw.com

Address: Holland & Knight LLP, 2099 Pennsylvania Ave., N.W., Suite 100, Washington, D.C. 20006

Phone No.: (202) 862-5990

Fax No.: (202) 955-5564

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

FOR OFFICIAL USE ONLY

Exhibit No. 1

Case No. _____



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 two hundred fifty 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	3	\$3120
TOTAL FOR VARIANCES:			\$3120
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 square foot)	\$52		
Roof Structures	\$2,600	2	\$5200.00
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	1	\$1560
Chancery (per square foot)	\$65		
Owner-Occupied Special Exception	\$325		
Appeal	\$1,040		
Time Extension/Modification – Owner Occupied	\$130		
Time Extension/Modification – All other (percentage of filing fee)	26%		
TOTAL FOR SPECIAL EXCEPTIONS:			\$6760.00
APPEAL:			
NCPC/ANCs/Citizens Association/Civic Association/Not-for-Profits	\$0.00		
All other organizations, groups or persons	\$1,040.00		
TOTAL FOR APPEALS:			
GRAND TOTAL:			\$9880.00

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:

Mary Carolyn Brown

Signature:

Mary Carolyn Brown

Exhibit No. _____

Last Revised (10/18/10)

Case No. _____

**ZONING SELF-CERTIFICATION FORM**

Project Address(es)	Square	Lot(s)	Zone District(s)	ANC(s)/Single Member
2221 14th Street NW	0234	28, 124-127	Arts/C-3-A	1B04
2221 14th Street NW				
2221 14th Street NW				

CERTIFICATION

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

Relief Sought	<input type="radio"/> §3103.2 - Use Variance	<input checked="" type="radio"/> §3103.2 - Area Variance	<input checked="" type="radio"/> §3104.1-Special Exception
Pursuant to Subsections		2101.1, 2115.1, 2117.5, 1902.1(a)	774.2, 411

Pursuant to 11 DCMR §3113.2, the undersigned agent certifies that

- (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 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)

Owner's Signature 		Owner's Name (Please Print)	
Agent's Signature 		Agent's Name (Please Print) Sacha M. Rosen	
Date 9/24/10	D.C. Bar No.	or	Architect Registration No. ARC100524

OFFICE OF ZONING DETERMINATION

(11 DCMR §3113.2)

Based upon review of the application and self-certification, this application is

<input type="checkbox"/>	Accepted for filing.
<input type="checkbox"/>	Referred to the Office of the Zoning Administrator, Department of Consumer and Regulatory Affairs, for determination of proper zoning relief required.
<input type="checkbox"/>	Rejected for failure to comply with the provisions of <input type="checkbox"/> 11 DCMR §3113.2. or <input type="checkbox"/> 11 DCMR - Zoning Regulations. Explanation _____
Signature _____	Date _____



STATEMENT OF EXISTING AND INTENDED USE

The Subject Property was most recently used as a car sales lot. The Applicant proposes to construct a new 30-unit apartment building on the site.

**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

**Application of Jemal's Hookers LLC
2221 14th Street, N.W.**

PRELIMINARY STATEMENT OF COMPLIANCE WITH BURDEN OF PROOF

I. Background

Jemal's Hookers LLC ("Applicant"), an affiliate of the Douglas Development Corporation, proposes to construct a 30-unit apartment building on property it owns at 2221 14th Street, N.W., Washington, D.C. (Square 234, Lots 28, and 124-127). The property contains 5,530 square feet of land. It is located in the Arts/C-3-A District at the southeast corner of 14th Street and Florida Avenue, N.W., and also falls within the boundaries of the Greater U Street Historic District.

The proposed apartment building is subject to the Inclusionary Zoning ("IZ") provisions of Chapter 26 of the Zoning Regulations and the Applicant will avail itself of the bonus density permitted under that chapter. The residential building will be constructed to a height of 75 feet and have a density of 4.8 floor area ratio ("FAR").

II. Relief Requested

Because of the small size of the development parcel and other extraordinary and exceptional conditions inherent in the property, the Applicant seeks the following special exception and variance relief.

A. Special Exception Relief

1. ***Rear Yard Depth (§774.2)*** -- a rear yard must be provided for the residential portion of the project with a depth of 2.5 inches for each foot of vertical height, but not less than 12 feet. Here, the Applicant does not propose any rear yard given the constraints of the site. Pursuant to section 774.2 of the Zoning Regulations, the Board may waive the rear yard requirements pertaining to a C-3-A District provided that the following standards are met:

- *Apartment and office windows shall be separated from other buildings that contain facing windows a distance sufficient to provide light and air and to protect the privacy of building occupants.*

The proposed building fronts on 14th Street to the west, Florida Avenue to the north, and a 10-foot wide public alley to the east. A three-story

commercial building abuts the site to the south. The proposed residential building has been designed to ensure sufficient light and air, and to protect the privacy of the residential occupants. Five of the six units on each floor will front on the street elevations of the building. One unit at the rear of the building will overlook a large court area, with a width of 19 feet. Consequently, all units will be provided sufficient light, air and privacy.

- *In determining distances between windows in buildings facing each other, the angle of sight lines and the distance of penetration of sight lines into habitable rooms shall be sufficient to provide adequate light and privacy to the rooms.*

The proposed building has been designed to limit the angle of sight lines and maximize the distance of penetration of sight lines into habitable rooms. The principal windows overlook the street so that light and privacy are adequately protected.

- *The building plan shall include provisions for adequate off-street service functions, including parking and loading areas and access points.*

The proposed building plan includes off-street parking in a below-grade area to ensure the protection of residents and adjacent properties.

- *Upon receiving an application for an approval under §774.2, the Board shall submit the application to the D.C. Office of Planning for coordination review, report, and impact assessment, along with reviews in writing of all relevant District of Columbia departments and agencies including the Department of Transportation and Housing and Community Development and, if a historic district or historic landmark is involved, the State Historic Preservation Officer.*

The Applicant is aware that this application will be submitted to all relevant departments and agencies for review.

2. Roof Structure Setbacks (§770.6) -- Housing for mechanical equipment or a stairway or elevator penthouse on the roof of a building or structure must be set back from all exterior walls a distance at least equal to its height above the roof upon which it is located. Additionally, the enclosing walls from the roof level must be of equal height. Here, the small, narrow lot size requires the applicant to seek relief from these provisions. In order to maximize the light and air of the residential units, and to take advantage of two street elevations, the elevator core has been pushed to the rear corner of the building. As a result, it is not set back a distance equal to its height from the alley elevation of the building. This location is ideal, however, for minimizing views of the mechanical equipment from the street. Additionally, the walls surrounding the elevator and mechanical equipment are of unequal height in order to minimize their appearance from the street. The surrounding walls will be of quality material to

integrate them into the overall design of the building. Thus, the penthouse will still meet the spirit and intent of the Zoning Regulations.

3. Height of Roof Structure (§ 1902.1(a)) -- The Uptown Arts Overlay limits any roof structure to a maximum height of 8 feet, 6 inches. Here, however, the Applicant proposes that a portion of the roof structure to rise to a standard height of 18 feet, 6 inches, in order to accommodate the necessary elevator override equipment. The elevator core has been pushed back to the rear corner of the building to limit its view from the street. The penthouse will also be integrated into the overall design of the new structure to ensure its compatibility with the Greater U Street Historic District, in which it is located.

B. Variance Relief

1. Number of Parking Spaces (§2101.1) -- the Applicant is required to provide two parking spaces for every unit, or in this case, a total of 15 spaces. Instead, because of the small floor plate and its configuration, only ten spaces will be provided.

2. Size of Parking Spaces (§2115.1)-- the Applicant proposes to provide ten compact parking spaces, measuring 8 feet by 16 feet, instead of the required standard size of 9 feet by 19 feet. The reduced size in parking spaces allows the Applicant to provide the maximum number of spaces given the small floor plate of the building.

3. Drive aisle width (§ 2117.5)-- the Applicant is required to provide a drive aisle width of at least 20 feet. However, because of the small floor plate and layout of the garage, the drive aisle will narrow to approximately 18 feet in one discreet location.

III. Burden of Proof

The test for variance relief is three-part: (1) demonstration that a particular piece of property is confronted with some exceptional condition or situation; (2) such that, without the requested variance relief, the strict application of the Zoning Regulations would result in some practical difficulty upon the property owner; and (3) that the relief requested can be granted without substantial detriment to the public good or zone plan.

A. Exceptional Condition or Situation

The Applicant will demonstrate that the property is constrained by its small size, its narrowness and extensive street frontage. These conditions inherent in the property create practical difficulties in complying with the strict requirements of the parking provisions, as described below.

B. Resulting Practical Difficulty

Strict adherence to the parking requirements would require 15 full-size parking spaces for the 30-unit residential building. The Applicant proposes to provide one below-grade level of parking with ten spaces. Given the narrowness of the site, the Applicant is only able to accommodate ten compact spaces with a drive aisle that is only approximately 18 feet wide in one location, instead of the required 20 feet wide.

C. No Harm to Public Good or Zone Plan

The Applicant will demonstrate that the requested relief can be granted without harm to the public good and without threat to the integrity of the zone plan. With respect to the public good, the replacement of a vacant car sales lot with a new residential building in the 14th & U corridor will provide a significant contribution to the community.

The zone plan will not be compromised, as the proposed project will include ten parking spaces, which are adequate to serve the needs of the prospective residents given the site's close proximity to public transportation. The property is within several blocks of the U Street-Cardoza Metrorail Station and can also be accessed by several Metrobus lines.

IV. Conclusion

Pursuant to section 3113.8 of the Zoning Regulations, the Applicant will file its Statement of the Applicant with the Board no fewer than 14 days prior to the public hearing for the present Application. Through the Applicant's written statement, and through testimony and evidence presented at the public hearing, the Applicant will demonstrate how it meets its burden of proof to obtain the Board's approval of the requested relief.

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