

Before the Board of Zoning Adjustment, D. C.

Application No. 11739, of Leopold B. Boeckl, pursuant to Section 8207.2 of the Zoning Regulations, for a special exception to establish a chancery in the R-5-D zone as provided by Section 3101.410, on the 4th and 5th floors of premise 2405 I Street, N.W., Lot 157, Square 28.

HEARING DATE: September 18, 1974

EXECUTIVE SESSION: September 24, 1974

FINDINGS OF FACT:

1. The property is improved with a nine-story condominium apartment building, in an R-5-D zone.

2. The Government of Argentina proposes to use the 4th & 5th floors of the building as offices for the Air Force Attache and his staff which consists of five diplomatic officers and twenty clerical employees.

3. The gross floor area of the 2 floors proposed to be used as a chancery is 5,760 square feet. As prescribed by the Chancery Act, 1 parking space must be provided for each 1800 sq. feet of gross floor space. The Government of Argentina has purchased 3 parking spaces in lot 157 sq. ft for the use of its diplomats. In addition ten off-street parking spaces will be provided at 914 New Hampshire Ave., in the rear of the subject property and by lease agreement. The applicant is required to provide 3 parking spaces.

4. The fourth and fifth floors will be purchased by the chancery.

5. Opposition objected to offices of any kind in a residential zone.

6. Private owners of condominiums in the building, who would be most effected by the proposed use have no objections to the use of the 4th and 5th floors as a chancery.

7. The subject property is located in the R-5-D zone which permits high density apartment use and a chancery use requiring 1 parking space for each 1800 sq. ft. of gross floor area occupied by a chancery.

CONCLUSIONS OF LAW AND OPINION

Based upon the above findings of fact, the Board concludes that the applicant has complied with the requirements set forth in the Chancery Act of 1964. The Board has given considerable weight to the opposition registered at the public hearing, however, the Board is of the opinion that once the conditions of the Chancery Act have been complied with by the applicant, that the Board, as a matter of law, must grant relief, unless it has been proved that the architectural design and the arrangement

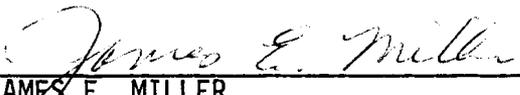
of all structures and the off-street parking spaces are not in keeping with the character of the neighborhood. The opposition in the case did not make such an assertion, and based upon finding of fact number 7, the Board concludes that the design of the structure to be used as a chancery and the arrangement of off-street parking conform with the character of the neighborhood.

ORDERED: That the above application be granted on the condition that the applicant provide 3 parking spaces be provided on the lot 157, Square 28 for the specific use of the Chancery.

VOTE: 3-0 (Mr. Klauber and Lilla Burt Cummings, Esq. not present, not voting, not having heard the case.)

BY ORDER OF D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
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JAMES E. MILLER  
Secretary to the Board

FINAL DATE OF ORDER: **OCT 15 1974**

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.