

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13259, of Alternative Development, Inc., pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 4101.44 to use basement and first floor of the subject premises for office use in an SP-2 District at the premises 1133 - 13th Street, N.W., (Square 282, Lot 41).

HEARING DATE: September 17, 1980
DECISION DATE: October 1, 1980

FINDINGS OF FACT:

1. The subject property is located in an SP-2 zoning district at the southeast corner of the intersection of 13th and M Streets, N.W.
2. The subject site is presently improved with an eight story apartment building with basement erected in 1923. The building contains approximately 33,090 square feet of gross floor area.
3. The basement of the building has been used as a service area consisting of mechanical and meter rooms.
4. The first floor has been used for residential purposes consisting of a lobby area and apartments. The upper seven stories have been used for residential purposes.
5. From 1923 until September of 1979, the building was devoted to transient apartment use with hotel occupancy tax being paid upon it.
6. The building has been vacant since September of 1979.
7. The applicant proposes to use the basement and first floor for office purposes representing a net total of 5,080 square feet of usable space out of 7,354 square feet of gross floor area.

8. The applicant proposes to use the top seven floors of the structure for 35 condominium-apartment units.

9. There will be no conflict between the residential and office uses of the building, because there will be separate entrances for the different uses.

10. The surrounding land uses consist of retail, service and residential uses, including food, clothing and liquor stores, gas stations, dry cleaners and a cocktail lounge, and townhouse apartment units and high rise apartment buildings.

11. Many apartment buildings in the immediate vicinity of the subject site contain office use on the first floors.

12. The applicant proposes only minor exterior changes to the building. Some excavation will be necessary to provide a basement entrance for the proposed office use. New windows will be installed. Landscaping will be added. The building will be repaired and refurbished as necessary generally.

13. The existing structure is harmonious with the adjoining land uses which include several apartment houses of substantially the same height and bulk as that on the subject site.

14. The anticipated parking need for the proposed residential uses is for five spaces. The projected need for the proposed office use is also five spaces.

15. There are two on-site parking spaces. In addition, the applicant's traffic consultant testified that within the area bounded by 15th Street, Rhode Island Avenue, O Street, 11th Street and Massachusetts Avenue there are 650 parking spaces on lots, seventy-nine metered parking spaces, twenty-eight on-street spaces and fifty-four permit spaces. While most of these spaces are occupied during the day, there is some available parking at all times.

16. The subject site has excellent access to nine Metro bus routes within a two block radius on 11th, 13th and 14th Streets.

17. Minor increases in traffic from the proposed change in use can be easily accommodated by 13th Street and other arterial streets in the area.

18. As required by Sub-sections 4101.4 and 4101.5, the application was referred to the Office of Planning and Development for report. No report was received from the OPD in the record of this case.

19. Advisory Neighborhood Commission - 2C did not appear or present any written testimony in this case.

20. There was no opposition to this application.

CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the applicant has complied with the requirements of Paragraph 4101.44 and Sub-section 8207.2 so as to be entitled to the special exception relief requested in this application. The applicant's proposal to convert an existing eight story structure formerly in transient use to condominium-apartment and office use is in harmony with the use, height, bulk and design of the existing uses and structures on neighboring property. The subject structure was built at the same time and at substantially the same height and style as surrounding structures presently in apartment use and is not inconsistent with the diversity of the uses in the neighborhood along 13th Street, which include various retail and service uses, parking lots, office buildings and apartment buildings. The Board further concludes that the applicant's proposed use will not create dangerous or otherwise objectionable traffic conditions.

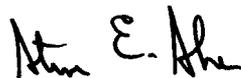
The Board concludes that no special treatment in the way of design, screening of buildings, accessory uses, signs or other facilities is necessary to protect the value of the neighboring property, in that the applicant's proposal involves virtually no exterior changes to the building and the upgrading proposed by the applicant in the form of landscaping and window alterations is sufficient for the purpose of protecting the value of neighboring property.

The Board further concludes that the special exception can be granted as in harmony with the general purpose and intent of the Zoning Regulations and maps and will not tend to affect adversely the use of neighboring property in accordance with said regulations and maps. It is therefore ORDERED that the application is GRANTED.

VOTE: 5-0 (Theodore F. Mariani, Charles R. Norris, Connie Fortune, Leonard L. McCants and William F. McIntosh to GRANT).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 1 DEC 1980

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.