

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13379, of S. Tebbs Chichester, pursuant to Sub-section 8207.2 of the Zoning Regulations, for special exceptions under Sub-sections 7104.2 and 7105.2 to change a non-conforming use from an interior design studio and real estate brokerage office, first floor, to an architect's office and to extend the non-conforming use to the second floor in an R-5-B District at the premises 2529 P Street, N.W., (Square 1264, Lot 105).

HEARING DATE: November 12, 1980
DECISION DATE: November 12, 1980 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located in an R-5-B District on the north side of P Street between 26th Street and Rock Creek Park.
2. The subject property is twenty-six feet wide and 58.27 feet deep. It is improved with a two story brick building which extends the full width of the lot.
3. The building is presently vacant. Until recently, the first floor of the building was used as an interior design studio and real estate brokerage office, pursuant to Certificate of Occupancy No. B-38557, dated November 29, 1962. Such use was authorized by Order of this Board in Case No. 7016. The second floor was used as a storeroom and one apartment unit occupied by the applicant.
4. The applicant has a contract to sell the building to Hugh Newell Jacobsen, who proposes to use both the first and second floors of the building for his architectural offices.
5. The applicant seeks a special exception under Sub-section 7104.2 to change a non-conforming use to an architect's office on the first floor and a special exception under Sub-section 7105.2 to extend that office use to the second floor.

6. An interior decorating shop is a use first permitted in a C-2-A District. A real estate brokerage is first permitted in a C-1 District. An architect's office is permitted as a special exception in an SP District, and as a matter-of-right in a C-1 District.

7. The proposed use is permitted in the most restrictive districts in which the existing uses are permitted.

8. There are existing commercial uses in both the 2500 block of P Street and the 1500 block of 26th Street. The proposed use would not be out of character with the immediate area in which it is located.

9. The architects whose office is proposed to be located in the subject building is Hugh Newell Jacobsen. He currently has his office at 1427 - 27th Street, one block west of the subject building. That office use has not been objectionable in the area. The proposed office would provide more space for storage of drawings, models and equipment. The architect does not propose to increase the volume of activity occurring at his office.

10. There will be no structural alterations to the building. Interior renovation will be limited to partitions. There will be no exterior alterations other than painting.

11. Advisory Neighborhood Commission - 3A, by letter dated November 10, 1980, stated that it had no objections to the granting of the special exceptions.

12. The owners of the abutting properties at 2531 and 2527 P Street, N.W. submitted letters to the record in support of the application. There were other letters in support of the application in the record from owners of other surrounding property.

13. There was no opposition to the application.

CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the applicant is seeking two special exceptions. In order to be granted such exceptions, the applicant must demonstrate that he has complied with the requirements of Sub-sections 7104.2 and 7105.2 and Sub-section 8207.2 of the Zoning Regulations.

The Board concludes that the applicant has so complied. The proposed use is permitted in the most restrictive district in which the existing use is permitted. The use is partially a neighborhood facility and will not be objectionable. The extension is to another portion of the same building, and no structural alterations are involved.

The Board concludes that it has accorded to the Advisory Neighborhood Commission - 3A the "great weight" to which it is entitled. The Board further concludes that the special exceptions 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 (Walter B. Lewis, Douglas J. Patton, Connie Fortune, William F. McIntosh and Charles R. Norris to GRANT).

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

ATTESTED BY: 
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 12 JAN 1981

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 IS VALID 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.