

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13424, of H.W. Boone, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 4101.44 to use all floors of the subject premises as law offices or similar professional use in an SP-2 District at the premises 1229 - 15th Street, N.W., (Square 212, Lot 117).

HEARING DATE: February 11, 1981

DECISION DATE: February 11, 1981 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the southeast corner of the intersection of 15th and N Streets, one block east of Scott Circle. It is in an SP-2 zone district, at premises known as 1229 - 15th Street, N.W.
2. The subject lot is approximately 865 square feet in area, and is improved with a three story plus basement structure that was built in 1870.
3. The property is presently used as a flat, pursuant to Certificate of Occupancy No. B-37951, dated April 22, 1964. The applicant proposes to use the building for office use in accordance with the SP provisions of the Zoning Regulations.
4. The premises is a corner property and is adjoined on the south by two similar row structures. These three structures are the only remaining structures on the east side of the 1200 block of 15th Street. The southern portion of the street frontage is devoted to a commercial parking lot which has its major frontage along Massachusetts Avenue. This parking lot occupies approximately one-quarter of Square 212.
5. A parking lot is also located to the rear of 1229 15th Street adjacent to a large apartment building which occupies most of the south side of N Street. Additional uses in Square 212 include the National City Christian Church on Thomas Circle, an eight story apartment building adjacent on Massachusetts Avenue and another commercial parking lot at the corner of 14th and N Streets.

6. In addition to the SP District which flanks Massachusetts Avenue in this location, higher density residential zone districts (R-5-C and R-5-D), and C-2-B, C-M-3 and C-4 Districts are found within two blocks of the subject property. In general the area north of Massachusetts Avenue is predominantly residential while commercial uses lie to the south. There are additionally a number of large hotels in the vicinity including a Holiday Inn and a Ramada Inn on Rhode Island Avenue, the Madison Hotel at 15th and M Streets and the International Inn on Thomas Circle.

7. The subject structure has a gross floor area of approximately 3,000 square feet. With a lot area of 865 square feet this yields an FAR of 3.46 which is less than the maximum allowable non-residential FAR of 3.5 in the SP-2 District.

8. The applicant proposes to convert the premises to law offices. The firm of Garfinkel and Dranitzke, who are the contract purchasers, will occupy two or three floors of the premises for their law offices. Any remaining space will be leased for law offices. The applicant estimates that a maximum of nine people will occupy the building.

9. There are a number of SP uses in the immediate vicinity including professional offices located in the Town Towers apartment building. The National Association of Homebuilders headquarters at Massachusetts Avenue at 15th Street, the American Association for the Advancement of Science and the National Point, Varnish and Lacquer Association all are within one block of the subject site.

10. There are no variances requested for this application. The applicant proposes no structural alterations to the inside of the structure, and only cosmetic improvements to the exterior. No parking spaces are required. The applicant is providing one space in a garage at the rear of the lot.

11. The applicant testified that of the six employees presently employed by the contract purchaser, only one person drives to work. The Board finds that the area is well served by public transportation, including Metrobus and rail. The Board further finds that there is an abundance of available surface parking on the adjacent lots.

12. There was no report of Advisory Neighborhood Commission 2C on this application.

13. The Office of Planning and Development, by report dated February 6, 1981, recommended approval of the application on the grounds that the existing structure is in harmony with the height, bulk and design of neighboring properties. The OPD also noted that there are a large number of SP office uses in the area, and the use of this structure for law offices would be in harmony with uses of surrounding buildings. The Board so finds.

14. There was no opposition to the granting of this 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 a special exception. In order to be granted such an exception, the applicant must demonstrate that it has complied with the requirements of Paragraph 4101.44 and Sub=section 8207.2 of the Zoning Regulations. The Board concludes that the applicant has so complied. The proposed uses in the subject buildings will be in harmony with the general uses, height, bulk and design of other buildings and uses in the area. The use will not create dangerous or objectionable traffic conditions. No special screening or treatment is required.

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 hereby GRANTED.

VOTE: 5-0 (Walter B. Lewis, Douglas J. Patton, Charles R. Norris, William F. McIntosh and Connie Fortune to GRANT).

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

ATTESTED BY: Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 20 MAR 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.