

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13429, of Dodge House Associates, as amended, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations for special exceptions under Sub-section 7105.2 to permit the extension of a non-conforming use into the basement and attic area and under Sub-section 7205.3 to allow five parking spaces within courts and for variances from the prohibition against allowing an addition to a non-conforming structure housing a non-conforming use (Sub-section 7107.1), and from the prohibition against allowing structural alterations to a non-conforming structure housing a non-conforming use (Paragraph 7106.12) for a proposed renovation of an existing twenty-one unit apartment house to a twenty-six unit apartment house plus an addition in an R-3 District at the premises 1517 - 30th Street, N.W., (Square 1268, Lot 272).

HEARING DATES: January 18 and May 20, 1981  
DECISION DATE: June 3, 1981

DISPOSITION: The Board GRANTED the application with conditions by a vote of 4-0 (Douglas J. Patton, William F. McIntosh and Connie Fortune to grant; Charles R. Norris to grant by proxy).

FINAL DATE OF ORDER: August 10, 1981

FINDINGS OF FACT:

1. The Board in its Final Order of August 10, 1981, granted the application. Condition one of the grant stated that the property shall be developed in accordance with the revised plans marked as Exhibit No. 61 of the record.
2. By letters of September 4, 1981, and September 24, 1981, the applicant requested a modification of plans. The applicant advised that there are some potential purchasers who indicate interest in large duplex units. The applicant would like to accommodate those prospective purchasers by combining what were originally two units on separate floors into one duplex unit connected by an interior staircase. The applicant further advised that the suggested changes offered do not affect the building exterior, but only the interior apartment layouts. If the duplex units are built in lieu of the single floor units, those units shall need an interior stairway connecting both floors. The approval of the alternate scheme requires the approval of the structural changes created by the additional internal stairways needed for the duplex units. The applicant seeks approval to renovate the building as originally approved or in the alternative, to create up to five or six duplex units. For each duplex created, the total number of units proposed would be reduced.

3. Under the plan previously approved by the BZA, the elevator room was separated from the elevator pit by the foyer into one of the apartment units. The applicant now proposes that the elevator room share a common wall with the elevator pit and the foyer not intrude into the shared space. The applicant states that the net effect of the proposed change is no more than the relocation of elements. There will be no structural or exterior changes associated with this revision.

4. By letter of September 15, 1981, the Citizens Association of Georgetown advised the BZA that the Final Order granted permission to Dodge House Associates to extend a non-conforming use into the basement of the existing non-conforming building. The extension consisted of a number of new two bedroom apartments. It is the understanding of the Citizens Association of Georgetown that the developer is now requesting permission to have the option of duplexing some of these units. Citizens Association of Georgetown has reviewed the revised plans with the developer and notes that the bedroom count would actually be reduced if this option were carried out. In addition, no new or revised parking requirements or exterior modifications would be involved. In consideration of the fact that granting the developer the requested option would result in a reduction in the intensity of the non-conforming use in this non-conforming structure, the Citizens Association would have no objection if the BZA Order were amended to allow the optional duplexing of units. The Board concurs on the recommendation of the Citizens Association of Georgetown.

5. A copy of the applicant's request for modifications were sent to all parties participating in the Public Hearing's of February 18 and May 20, 1981. There was no opposition of record to the request for modifications.

CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the modifications requested require no significantly different relief from the Board than that originally granted. The material facts relied upon in granting the application are still relevant. The structural alterations required for the interior staircase would actually lead to a decrease in the number of units. The Board further notes the lack of opposition to the proposed modifications and, in fact, the support of the Citizens Association of Georgetown who previously had opposed the application. Accordingly, it is ORDERED that the requested modifications of the prior approved plans, Exhibit 61 of the record, are approved. The building may be renovated either in accordance with the earlier approved plans or in accordance with the revised plans marked as Exhibit 99 of the record. The relocated elevator shaft shall be as shown on the plans marked as Exhibit No. 94 of the record.

VOTE: 3-0 (Charles R. Norris, William F. McIntosh and Connie Fortune to APPROVE; Douglas J. Patton not present, not voting).

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

ATTESTED BY:   
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 12 NOV 1981

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.

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."