

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), to allow a driveway less than fourteen feet in width (Sub-section 7206.7) 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: February 18 and May 20, 1981

DECISION DATE: June 3, 1981

FINDINGS OF FACT:

1. The application was originally scheduled to be heard on February 18, 1981. On that date, the applicant requested a postponement from the Board, on the grounds that the partnership wanted to engage in further discussions with owners of surrounding properties and citizens groups. The applicant further advised that the application had to be amended to seek certain additional variance relief. The Board granted the postponement, allowed the application to be amended, and ordered that the case be readvertised.

2. At the public hearing on May 20, 1981, the applicant sought a further amendment as a result of an agreement entered into with certain owners of adjoining properties. The additional amendment deletes the request for a variance from the driveway width requirement of Sub-section 7206.7. As a substitute therefore, the applicant seeks a variance from Paragraph 7205.22 to allow a parking space within ten feet of the wall of a multiple dwelling.

3. The subject property is located in an R-3 District at the southeast corner of the intersection of 30th and Q Streets, N.W.

4. The subject lot has 150 feet of frontage on Q Street and 202 feet of frontage on 30th Street. The subject lot has an area of 29,154.1 square feet.

5. The subject site is improved with the structure known as the Francis Dodge House. The original portion of this structure was erected in 1852-1853, as a single-family residence. Major additions were made to the structure in 1903 and the structure has been in apartment house use at least since that time. The structure is a Category III landmark of the District of Columbia and is contained within the boundaries of a historic district listed in the National Register of Historic Places. The structure is noted as being an outstanding example of the Italianate villa style designed by the prominent architects in that style, A.J. Downing and Calvert Vaux.

6. The Dodge House occupies 13,648.19 square feet of the lot in an irregular configuration consisting of four wings. The gross floor area of the structure is in excess of 51,000 square feet.

7. The existing structure is non-conforming in that it exceeds the permitted percentage of lot occupancy by 1,666.55 square feet. The apartment house use of the structure is also non-conforming in the R-3 zone.

8. There is evidence that at least twenty-two apartment units existed historically in the structure, including at least one in the basement level. The applicant proposes to renovate the building to house a total of twenty-six condominium units. Five of these units would be located in the basement area and portions of the attic area would be contained in two duplex apartments on the top floor. The applicant requires a special exception under Sub-section 7105.2 to extend the apartment house use to the basement and attic area.

9. The area proposed for expansion of the existing non-conforming apartment use will be devoted to living area and supporting use. The extension of the non-conforming use constitutes a neighborhood facility, in that the occupants of the proposed dwelling units will be residents of the neighborhood.

10. The use of the structure as a condominium residence is in keeping with the character of the surrounding area. The uses within a 300 foot radius of the subject site include several apartment houses as well as single-family detached homes and semi-detached row houses. Immediately adjacent to the subject site at the southwest corner of Q and 29th Streets is another non-conforming apartment house use, the Stoddert, which contains approximately twenty-eight units. At the northeast corner of 30th and Q Streets there are two more apartment houses, the Askeaton and the Shannon. To the north of the subject site are at least three additional non-conforming apartment houses. To the west of the subject site and immediately abutting the subject site are a series of semi-detached and row houses, several of which have basement use for residential purposes. The land use survey prepared by the applicant indicates that there are scattered commercial uses in the area on a limited basis as well, consisting of office and retail establishments.

11. The applicant proposes to substantially rehabilitate the subject site without significantly altering the exterior. Exterior alteration will consist solely of the construction of additional porticos to match the portico existing on the original 1852 section of the Dodge House. The applicant proposes to utilize as patio areas for ground level apartments the area now consisting of crawl space beneath existing porticos facing 30th Street. This patio area will not be visible from the exterior, as it is behind an existing metal screen below the porch floor. The proposed renovation will not only stabilize but upgrade the structure which has been vacant and deteriorating prior to the undertaking of this renovation.

12. The addition of the new porticos constitutes an addition to the structure. The addition will add approximately 100 square feet to the size of the building. Sub-section 7107.1 prohibits additions to a non-conforming structure housing a non-conforming use. The applicant accordingly seeks a variance from that Sub-section.

13. The applicant originally also sought to add nine balconies facing interior courtyards. As part of its agreement with certain owners of surrounding properties, the applicant withdrew its request to permit the balconies.

14. The new dwelling units will average in excess of 2,500 gross square feet in area over 1,800 square feet of livable space. Modern appliances, heating, air conditioning, plumbing, and wiring will be installed in all units.

15. There will be no permanent signs at the project and the site will be extensively landscaped. There will be individual patio areas provided on the eastern edge of the property. There will be low ground plantings consisting of low azaleas and other such flowering shrubs and flowering trees such as magnolia and dogwood also provided. Applicant is saving two existing elm trees on the site. A gate and suitable plantings will screen the rear yard area. The parking spaces will be provided off the street. Extensive evergreen plantings and other dense plantings will be used in the Q Street courtyard to provide suitable screening from both headlight glare and noise and exhaust fumes emanating from the parking in that area.

16. The applicant proposes several structural alterations to the structure in order to bring it up to Building Code standards and modern living standards. These structural alterations include alteration of the interior stair halls, addition of three elevators, addition of a skylight and two dormers, creation of new windows, relocation or creation of new fireplaces and placement of air conditioning units in the roof. Paragraph 7106.12 prohibits structural alterations to a non-conforming structure housing a non-conforming use. The applicant seeks a variance from that Paragraph.

17. The applicant submitted the reports of two structural engineers indicating that vastly deteriorated conditions exist on the subject site. The applicant seeks to replace the deteriorated stairwells with metal stairs of sufficient fire rating to conform with the specifications of the building inspectors and to accommodate the addition of three small elevators to the site. The project architect testified that the elevators would measure approximately 3.5 feet by three feet in dimension and would run from the first to the third floor of the structure without any mechanical equipment or penthouse piercing the roof of the structure. The addition of these elevators and replacement of the stair will provide modern and safe egress for tenants of the subject site and will not result in any intrusion on the historic design character of the subject site. Market analysis indicates elevator service for the upper floors of the subject site is necessary to accommodate older prospective owners.

18. The applicant proposes to add two new dormers matching the existing dormer to provide further light, air and ventilation to the attic portions of the subject structure. Creation of these dormers has been approved on a preliminary basis by the Commission of Fine Arts. The Board finds that they will not result in an adverse impact on the historic quality of the structure or on the surrounding uses.

19. The applicant proposes to provide a skylight as a design amenity in a portion of the original 1852 section of the building. This will be provided on a relatively flat portion of the roof which was used for the cupola and will be unobtrusive from a historic design viewpoint.

20. The applicant also proposes to create three new full size windows to match existing windows on the northwest wing of the building. This will increase light, air and ventilation for the inhabitants of the structure and was a design amenity recommended by the Commission of Fine Arts.

21. Applicant proposes to relocate existing fireplaces or create new fireplaces for all units on the upper floors and several of the basement units. Relocation of the chimney flues may require cutting through the existing floor joists, a structural alteration. Any new chimneys created would be designed in a manner to match the existing historic fabric.

22. The final structural alteration proposed by the applicant is to locate air conditioning units on a platform between the exterior of the roof and the interior attic levels. This design was recommended by the Commission of Fine Arts and will enhance the existing condition of the structure which now has window air conditioning units which are out of character with the historic nature of the subject structure.

23. Under the Regulations, no parking is required for the building. Under BZA Order No. 10096, two parking spaces are permitted to be located in a court of the building having access from Q Street. The applicant proposes to continue utilization of two parking spaces in that court in a slightly different configuration than now existing, to allow in and out access from the site to Q Street. This is intended to improve the safety conditions of exiting from parking on the subject site. A special exception under Sub-section 7205.3 to allow that parking is required.

24. The applicant seeks permission to locate a third parking space off an existing curb cut on the 30th Street frontage of the property. The applicant supplied affidavits from former residents of the structure indicating that parking for several cars had existed along the southern edge of the subject site with access from a driveway utilizing this curb cut. The applicant proposes to situate this parking pad near the western boundary of the subject site. The applicant proposes to provide landscape screening at the eastern edge of the parking pad and thus mitigate any possible adverse external effects on inhabitants of the subject site. The parking space will be within ten feet of the wall of the building, and will require a variance from the provisions of Paragraph 7205.22.

25. The applicant originally proposed to provide eight off-street parking spaces. However, as set forth in Finding No. 2, as a result of agreements with certain owners of surrounding property, the plans were amended to provide for only the three spaces cited above. The revised parking layout and landscape plan is marked as Exhibit No. 82 of the record.

26. The Office of Planning and Development, by memorandum received on May 15, 1981 and by testimony at the hearing, recommended approval of four parking spaces with access from Q Street and two parking spaces with access from 30th Street, approval of twenty-six units and extension of the non-conforming use into basement and attic areas, and approval of structural alterations as outlined above. The OPD found that the extension of the non-conforming use was appropriate, given the fact that these attic and basement areas were of a habitable quality and could not be put to any other reasonable use, being much too large to accommodate any accessory or support use for the residential character for the rest of the building. The OPD verified the appropriateness of providing elevator service in the structure where the upper floor are approximately forty-five feet above the entry level. As to the parking, OPD recommended four or five spaces be created with access from Q Street, provided that a turnaround area was provided to allow front end access into Q Street. The OPD desired that as much on-site parking be provided as possible since it was not in the City's interest to have streets overly burdened by a lack of parking on the subject site. Accordingly, the OPD also recommended that two spaces be created off the 30th Street curbcut. The OPD found that the exhaust and other external effects from the automobile so parked would be a minimal impact. The Board concurs with the findings and recommendations of OPD except as to parking.

The parking issue will be discussed below.

27. Advisory Neighborhood Commission 3A, by letter dated May 14, 1981, advised the Board that it was strongly opposed to the granting of a special exception to permit the extension of a non-conforming use into the basement and attic area, to the granting of a special exception to allow parking spaces within courts, and to the granting of a variance from the prohibition against allowing a driveway less than fourteen feet in width. The ANC argued that the extension of a non-conforming use into the basement and attic constitutes an over-intensification of a non-conforming use in a non-conforming structure in an R-3 District, which would have an adverse impact on the surrounding residential neighborhood of primarily single-family dwellings. As to parking, the ANC noted that historically, there has never been parking in the rear and only limited parking on the Q Street side of this non-conforming structure. Further, there is no parking whatsoever in the interior of the block bounded by 29th, 30th, P and Q Streets at the present time. The ANC argued that introduction of vehicular traffic into the interior or intensification of parking in the Q Street courtyard of this block would be out of character with the surrounding neighborhood. The parking proposed in the rear of the building would pose serious problems of noise and pollution for adjacent neighbors. Automobiles entering from or exiting onto 30th Street or Q Street would add to the already congested traffic situation, especially during peak traffic hours. The ANC argued that allowing a driveway less than fourteen feet in width would constitute a serious hazard to the residential property on 30th Street immediately adjacent to the south. The ANC did note that it had no objection to the granting of a variance from the prohibition against allowing an addition to a non-conforming structure housing a non-conforming use, insofar as such addition consists of porches and vestibules on the street elevations as approved by the Commission of Fine Arts and by the Joint Committee on Landmarks.

28. The Citizens Association of Georgetown, by resolution dated February 9, 1981, opposed the application on essentially the same grounds noted by the ANC.

29. Owners of several abutting and surrounding property owners signed agreements with the applicant regarding the subject application. Those agreements are marked as Exhibits 62 and 63 of the record. The owners did not object to the granting of the application if only three parking spaces were provided, if the balconies were eliminated and if appropriate landscaping and screening were provided. One of the residents testified that the proposal as encompassed in the agreement represented the best available compromise regarding the location and number of parking spaces.

30. Two parties appeared in opposition to the applicant's proposal. The owner of the property abutting the subject site to the south on 30th Street based his opposition on the fact that he believed that an insufficient number of on-site parking spaces were being provided by the applicant. He preferred that at least seven spaces be provided and recommended that only twenty-two living units be allowed. He requested that the Board limit the approval of the applicant's request to have only twenty-two dwelling units and defer assessment of the parking until a later time when more neighbors could review the compromise situation. He believed that the lack of off-street parking provided on the subject site may adversely affect the market value of his house, occupants of which would have to compete with occupants of the Dodge House for on-street parking. A second person appearing in opposition was a resident on 29th Street between Q and R Streets. He testified that creation of twenty-six dwelling units on the subject site would exacerbate the existing lack of sufficient on-street parking.

31. The Board must give "great weight" to the written concerns of the Advisory Neighborhood Commission in this matter. The Board believes that the proposed extension of non-conforming use into the basement and attic areas of the subject site is appropriate and will not have a deleterious effect on the surrounding area. The total increase in the number of units is only five, which will have no significant impact on density or parking. There is evidence that both the attic and basement areas have been historically used for living area. The physical configuration of the building is such that adequate light, air and ventilation is provided in both the attic and basement areas proposed to be so used. The applicant's proposal will result in generous living space for all the units involved and will not result in any undue intensification of use or unacceptable or inappropriate increase in the density of habitation of this site. As to parking in the Q Street courtyard, the Board will limit this parking to only two spaces. The ANC's objection to parking in the south courtyard is no longer germane since the applicant has amended its application to provide only one parking space on a pad at the eastern edge of the property off the existing curb cut on 30th Street. Similarly, the ANC's opposition to utilization of a driveway measuring less than fourteen feet in width is no longer germane, as that area of relief has been withdrawn in the amended application. The Board appreciates the concerns of the ANC for maintaining the ambiance of the Georgetown area. However, the Board believes the applicant's proposed design selection for this historic structure is an appropriate one, given the demand for on-site parking existing in the area already. The applicant is not required to provide any parking on-site and is actually increasing the number of spaces available to surrounding users in the community by providing three off-street parking spaces. The landscaping scheme provided by the applicant will preserve the design integrity of the Dodge House itself and will mitigate the external effects of automobile parking in the courtyard on the surrounding users as well.

CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and evidence of the record, the Board concludes that the applicant is seeking two special exceptions and three variances. As to the special exception to allow extension of a non-conforming use, the Board concludes that the applicant has met its burden of proof in compliance with the requirements of Sub-section 7105.2 and Section 7109 except as to the provision that no structural alteration is permitted. The expansion area will be devoted to living area and thus will constitute a neighborhood facility. The continued use of this structure as a residence will not be objectionable to the neighborhood which is predominantly a residential use, including single family, row dwellings and other non-conforming apartment buildings in the immediate area. The applicant's proposal will revitalize an extremely deteriorated structure and return it to active use while providing the City with additional dwelling units. The proposed continued use of the structure for apartment use is consistent with the character of uses within a 300 foot radius. The applicant has provided an appropriate arrangement of architectural and landscape features for the subject site. The exterior and interior renovation has been done in a manner that will complement the historic design quality of the structure. The exterior renovation has been approved on a preliminary basis by the Commission of Fine Arts. The applicant's proposal results in a minimal intensification of the existing twenty-two unit residential use and the applicant proposes to supply more off-street parking than is required under the Zoning Regulations for the benefit of both the tenants and the surrounding users who would be otherwise competing for curbside space. The applicant's proposal will improve the existing extremely deteriorated condition of this structure and provide spacious living quarters in a manner compatible with the character of the surrounding neighborhood. The Board thus concludes that approval of this renovation proposal and extension of non-conforming use is in harmony with the general purpose and intent of the Zoning Regulations and will not adversely affect surrounding uses.

As to the variance relief from Sub-section 7107.1 to permit minor addition of porticos on an existing structure which is non-conforming as to percentage of lot occupancy, the Board concludes that the applicant has met its burden of proof and is entitled to the variance requested. The subject site is affected by the unique condition of having this extremely large non-conforming and historical structure located upon it. Exterior alterations are subject to approval by the Commission of Fine Arts pursuant to D.C. Law 2-144. The additional porticos match the design of the original 1852 protico of the building. Since the area involved is minimal and the addition is made to complement the historic design character, the Board finds that the requested relief can be granted without detriment to the public good and without substantially impairing the intent, purpose and integrity of the zoning plan.

As to the variance from the provisions of Paragraph 7106.12 to allow structural alterations to this non-conforming structure housing a non-conforming use, the Board further finds that the applicant has met its burden of proof and is entitled to the variance relief requested. As previously noted, the subject site is affected by an extraordinary condition in the form of the existing historic structure which is in an extremely deteriorated condition. The minor structural alterations proposed by applicant are necessary to either bring the structure up to the current Building Code, or to make it livable and marketable under today's living standards. The applicant's proposal to provide elevator service, efficient fire-rated interior stairs, skylights and dormers, new windows and new fireplaces, will increase the living quality of the inhabitants of this structure without creating an adverse effect on surrounding uses and structures. The structural alterations proposed will be an asset to the neighborhood insofar as the historic design quality of the exterior of this structure will not be adversely affected. Thus, the requested relief for structural alterations can be granted without detriment to the public good and without substantially impairing the intent, purpose and integrity of the zoning plan.

As to the variance relief from the provisions of Paragraph 7205.22, allowing location of a parking space within ten feet of a wall of a multiple dwelling unit containing openings for light and ventilation, the Board concludes that the applicant has met its burden of proof. The configuration of the existing historic structure on the site severely limits where off-street parking may be located on the subject limitation on how parking may be provided on the site. The applicant's proposal to place a parking space off an existing curb cut on the 30th Street side of the property with sufficient landscaping and other buffering will not adversely affect surrounding uses. A gate and plantings will provide sufficient visual amenities as well as screening of possible deleterious external effects of automobiles from inhabitants of the subject site. The requested relief can therefore be granted without detriment to the public good and without substantially impairing the intent, purpose and integrity of the zoning plan.

As to the special exception under Sub-section 7205.3 to allow two parking spaces within the court adjacent to Q Street, the concludes that the applicant has met its burden of proof and is entitled to the relief requested. The applicant is seeking to continue the existing off-street parking at its present location but in a slightly different configuration. New curb cuts are not required and no existing curb side spaces will be lost if the applicant's proposal is approved. Rather, the applicant will improve the circulation and safety conditions at the site by providing a space which allows front in, front out access and egress from the parking area. The applicant has provided an extensive landscaping plan which will shield the parking area as much as practicable from the view of surrounding neighbors and will provide screening from any external effects of automobile parking on the site from those living on the site. The applicant's

proposal provides more off-street parking than is required under the Zoning Regulations and yet does so in a manner that is not unduly intrusive on the historic design quality of the structure itself or in a manner which is incompatible or visually intrusive on the neighborhood. Approval of this proposal is in harmony with the general purpose and intent of the Zoning Regulations and will not adversely affect surrounding uses.

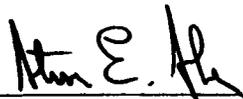
The Board concludes that it has accorded to the Advisory Neighborhood Commission the great weight to which it is entitled. For the reasons noted above, the Board concludes that the applicant's proposal is the best solution to competing concerns for providing quality housing, rehabilitating a substantially deteriorated landmark structure and providing as much off-street parking as is feasible in a manner which is least intrusive on the design qualities of the structure and the surrounding areas. It is therefore hereby ORDERED that the application as amended is GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The property shall be developed in accordance with the revised plans marked as Exhibit No. 61 of the record.
2. The property shall be landscaped in accordance with the landscape plan marked as Exhibit No. 82 of the record.
3. The terms and conditions of the agreements between the applicant and certain of the parties in opposition, marked as Exhibits No. 62 and 63 of the record, are made a part of the decision.
4. Any sign on the property shall be limited to a bronze or brass plaque affixed to the face of the building stating the name and address of the premises.

VOTE: 4-0 (Douglas J. Patton, William F. McIntosh and Connie Fortune to grant; Charles R. Norris to grant by proxy).

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

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER:

10 AUG 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.

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.

