GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 13918, as amended, of the Government of the District of Columbia, pursuant to Paragraph 8207.11 and Sub-section 8207.2 of the Zoning Regulations, to subdivide the former Corcoran School property into seven theoretical building sites (A through G), requiring:

1. A variance because proposed Site B, to be used for offices, does not meet the lot occupancy requirements (Sub-section 7615.2 and 3303.1);

2. A variance to permit structural alterations to the existing structure on proposed Site B housing a non-conforming office use (Sub-paragraph 7106.111);

3. A variance because proposed Site G, to be developed with rowhouses, does not meet the front yard requirements (Sub-section 7615.3); and

4. For proposed Site A, a special exception under Paragraph 7613.12 to extend the provisions of the less restrictive C-2-A District thirty-five feet into the more restrictive R-3 District, and for proposed Sites B through G, a variance from the use provisions (Sub-section 3103.3), both to permit an accessory parking garage below grade in the R-3 District to serve a commercial structure and an apartment house

all to continue the non-conforming use of the existing Corcoran School as an office building, to construct five rowhouses at the rear and to construct a commercial building and apartment house facing M Street, all in the C-2-A and R-3 District at the premises 2517 M Street and 1209-1219 28th Street, N.W., (Square 1214, Lot 816).

HEARING DATE: February 23, 1983
DECISION DATE: April 6, 1983
DISPOSITION: The Board GRANTED the application by a vote of 3-0 (Carrie Thornhill, William F. McIntosh and Charles R. Norris to grant; Walter B. Lewis not present, not voting; Douglas J. Patton not voting, not having heard the case).

FINAL DATE OF ORDER: June 28, 1983

ORDER

On July 7, 1983, the Citizens Association of Georgetown (CAG) filed a timely motion for reconsideration of the Board's decision granting the application with conditions. The motion for reconsideration was based upon the CAG's assertion that:

a. There was no discussion of the individual variances by the Board at its public meeting of April 6, 1983.

b. Granting the requested variance that will allow Site B to meet the lot occupancy requirements will create a non-conformity where none existed before and could impair the future development of the neighborhood.

c. Granting a variance to create an excessively small Site B will simply create a theoretical Site A that is larger than it needs to be. There was no finding of practical difficulty that would justify this lopsided theoretical subdivision of the presently conforming site.

d. The Order containing the granting of the variance for Lot B will have a detrimental effect on the future development of the neighborhood and, therefore, the intent, purpose and integrity of the Zone Plan for the District.

Counsel for the applicant filed a response to the motion on July 14, 1983 and requested the Board to DENY the motion based on the following reasons:

a. All issues raised by the CAG had been previously raised at the public hearing.

b. There was no deficiency in the Board's alleged lack of discussion of the individual variances at its public meeting.

c. As a matter of law, granting of the variance for the percentage of lot occupancy on theoretical Site B cannot create a future non-conformity to impair future development of the neighborhood.

d. The issues raised by the CAG as to the configuration of theoretical Sites A and B were addressed at the public hearing and in the Board's Order.

Upon consideration of the subject motion, the applicant's response thereto, and the Final Order, the Board concludes that the opposition raises no issues which were not previously addressed by the Board. The Board further

concludes that it has committed no error of fact or law in deciding the subject application. The issues of the CAG were thoroughly presented at the public hearing and were addressed in the Board's Final Order. Accordingly, it is ORDERED that the motion for Reconsideration is DENIED.

DECISION DATE: September 7, 1983

VOTE: 4-0 (Walter B. Lewis, Carrie Thornhill, William F. McIntosh and Charles R. Norris to deny; 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: OCT 13 1983

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."

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