

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14126, as amended, of the International Reform Federation, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for a special exception under Paragraph 4101.44 to use all floors of the subject premises as offices of non-profit organizations and/or professional persons in an SP-2 District at premises 120 Maryland Avenue, N.E., (Square 726, Lot 801).

HEARING DATE: May 23, 1984

DECISION DATE: June 6, 1984

FINDINGS OF FACT:

1. The subject property is located on the north side of Maryland Avenue between 1st and 2nd Streets and is known as premises 120 Maryland Avenue, N.E. It is zoned SP-2.

2. The subject site is a through lot which runs from Maryland Avenue to Constitution Avenue. It has a lot area of 2,416 square feet.

3. The subject property is improved with a three-story plus basement brick and stone structure which is currently occupied by non-profit organizations except for the third floor which contains two residential units.

4. The existing structure contains approximately 7,625 square feet of gross floor area and occupies approximately 100 percent of the lot area.

5. The existing structure was constructed as two separate buildings. The building at 120 Maryland Avenue was constructed in 1899. The building at 119 Constitution Avenue was constructed in 1905. The two structures were joined by a passageway in 1905 and are considered to be one building, although both addresses are used.

6. The subject site is located within the Capitol Hill Historic District.

7. Home Properties Corp., on behalf of Washington Historic Partners II, proposes to purchase the subject property and requests special exception approval to use all floors of the subject building for SP office uses.

8. Due to a misinterpretation of the memorandum from the Deputy Zoning Administrator, the applicant originally requested variances from the floor area ratio and off-street parking requirements. Further review of the application by counsel revealed that the subject structure will not exceed the allowable FAR and a pre-existing parking credit satisfies the parking requirement for the proposed use. The application was amended to delete the requested variances.

9. The proposed renovation of the interior of the existing structure is basically limited to the installation of new heating, air conditioning, electrical and plumbing systems. The interior configuration will remain generally intact with some minor modifications, as necessary, to meet safety and fire regulations. There will be no additions to the existing structure.

10. There are no proposed exterior changes. The facade of the structure will be restored as originally constructed. The structure is located within the Capitol Hill Historic District. Any exterior modifications to the structure are subject to review and approval by the State Historic Preservation Review Board, because the structure is located within the Capitol Hill Historic District. In addition, the contract-purchaser proposes to donate a facade easement to the L'Enfant Trust, a non-profit organization concerned with the preservation of historic structures in the city.

11. The uses surrounding the subject site included the Hiram W. Johnson House, a national historic landmark which is used for office purposes to the east. To the west is the Methodist Building. To the north are the Senate Office Buildings, the Hart Building and the Dirksen Building. To the south is the U.S. Supreme Court.

12. The total floor area ratio of the subject site is 3.15, less than the maximum 3.5 FAR allowed in the SP-2 District for other than residential use. The existing three-story structure is well below the ninety foot maximum height permitted in the SP-2 District. The existing building presently houses the offices of a non-profit organization on all floors except the third floor.

13. The applicant's architect testified that the architectural quality of the site and the proposed use are in keeping with the existing character of neighboring structures and will not tend to adversely affect the use of surrounding property. The Board so finds.

14. No on-site parking can be provided on the subject site due to the near total lot occupancy of the existing structure. A parking credit for three spaces has been computed based on the prior certificate of occupancy for use of the structure as a ten-unit apartment building. Based on the gross floor area of the subject structure of 7,625

square feet, the proposed office use would require three off-street parking spaces. No off-street parking is therefore required for the proposed office use.

15. The subject site is well served by public transportation. There are fifteen Metrobus routes which pass within one block of the site. There are two Metrorail stations within an eight to ten minute walk from the site. There is a commercial parking garage located approximately 1,800 feet from the site, and a public garage is presently under construction at Union Station.

16. The applicant's traffic expert testified that the proposed use will not create dangerous or otherwise objectionable traffic conditions because of the location of the site on major thoroughfares, and its convenient access to public transportation. The traffic expert further testified that the proposed use would have no perceivable impact on existing traffic patterns and parking demand in the area. The Board so finds.

17. The Office of Planning, by memo dated May 16, 1984, recommended approval of the application. It was the opinion of the Office of Planning that the application qualifies for a special exception based on the criteria of Paragraph 4101.44 and Sub-section 8207.2 of the Zoning Regulations. The Board concurs with the recommendation of the Office of Planning.

18. At the public hearing, the record was left open in order to accept the report of Advisory Neighborhood Commission 6B. By letter dated May 22, 1984, ANC 6B took no position on the application.

19. There was no opposition to the application at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing Findings of Fact and the evidence of record, the Board concludes that the applicant is seeking a special exception, the granting of which requires that the applicant must demonstrate compliance with Paragraph 4101.44 and Sub-section 8207.2 of the Zoning Regulations. The Board concludes that the applicant has so complied. The Board concludes that the use, height, bulk, and design of the structure will be in harmony with existing uses and structures on neighboring properties, as set forth in Finding of Fact No. 13. The use of the structure will not create any dangerous or otherwise objectionable traffic condition as set forth in Finding of Fact No. 16. No variance relief is requested.

The Board further concludes that the approval of the special exception will be in harmony with the general

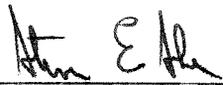
purpose and intent of the Zoning Regulations and maps and will not tend to adversely effect the use of neighboring property in accordance with said Regulations and map.

Accordingly, it is ORDERED that the application is therefore GRANTED.

VOTE: 3-0 (Charles R. Norris and William F. McIntosh to grant; Lindsley Williams to grant by proxy; Douglas J. Patton and Carrie L. Thornhill not voting, not having heard the case).

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

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER:

AUG 10 1984

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 CONSUMER AND REGULATORY AFFAIRS.

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