

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14247 of 1606 New Hampshire Ltd. Partnership, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for a special exception under Paragraph 4101.44 to permit SP office use in the proposed addition and a variance from the closed court width requirements (Sub-section 4305.2) for a proposed addition to an existing SP office building and the alteration of a carriage house for residential use in an SP-1 District at premises 1606 New Hampshire Avenue, N.W., (Square 134, Lot 800).

HEARING DATE: February 13, 1985
DECISION DATE: March 6, 1985

DISPOSITION: The Board GRANTED the application by a vote of 4-0 (John G. Parsons, William F. McIntosh, Douglas J. Patton and Carrie L. Thornhill to grant; Charles R. Norris not voting, not having heard the case).

FINAL DATE OF ORDER: July 5, 1985

ORDER

By letter dated August 26, 1985, counsel for the applicant requested the Board to approve proposed modifications to the plans approved by the Board's order dated July 5, 1985 pursuant to Section 506.1 of the Supplemental Rules of Practice and Procedure before the Bza. The proposed modifications would enable the applicant to renovate the existing structures and construct the addition in phases as well as fill in a small existing non-conforming court. In response to the objections to the proposed modifications raised by parties in opposition to the application, the applicant withdrew the request for modification on September 12, 1985 prior to its consideration by the Board.

On September 20, 1985, counsel for the applicant filed a second request for modification of plans. The requested modification of plans would result in the elimination of the approved four-story addition at the rear of the existing structure, the in-fill of the existing non-conforming closed court on the northeastern property line, and would retain the use of the existing carriage house for SP office use rather than as a residential unit.

The proposed modification will provide for a more efficient building core by allowing the applicant to place the restrooms in the centrally-located in-fill area thereby centralizing the plumbing piping system which is presently in a state of deterioration at other locations within the structure and also allow for the use of the space vacated by existing rest rooms for offices.

The proposed modification will not change any of the material facts relied upon by Board in approving the application. The applicant is seeking approval of an addition to an existing office building that will be used for SP offices. The use, height, bulk and design of the structure will be in harmony with existing uses and structures on neighboring properties. The use of the structure for SP offices will not create any dangerous or objectionable traffic conditions. No additional zoning relief is required.

The proposed modifications reduce the extent of the nonconformity of the existing structure. The court to be filled in is presently nonconforming as to width. That nonconformity is eliminated by the proposed addition.

Approval of the proposed modification will not materially alter the findings of the Board in Order No. 14247 in response to the issues and concerns of the parties in opposition. The proposed addition will not adversely impact the light and air of nearby residences, the gross floor area devoted to office use will be within the prescribed limits, the number of employees projected to occupy the structure will not be increased, there will be on-site parking spaces provided in excess of the zoning requirement and the proposed use will not adversely impact the street system in the neighborhood. The modification as proposed will lessen the impact of the structure on neighboring properties in comparison with the relief originally approved by the Board. The applicant will forego the construction of a large rear addition that was opposed by neighboring property owners and construct a small infill addition which will not be visible from the street.

There was no opposition to the request for modification of plans filed on September 30, 1985. By letter dated September 30, 1985, five parties in opposition to the application indicated their support for the modification as proposed based on their opinion that the proposal will result in a net reduction of commercial intrusion into the subject square and an agreement between the neighbors and the applicant which limits an additional development of the subject site and provides a number of safeguards during the construction period.

It is therefore ORDERED that the MODIFICATION of PLANS is APPROVED and that the plans marked as Exhibit No. 54A of the record are hereby approved and shall be substituted for

those originally approved by the Board and marked as Exhibit No. 22A of the record. In all other respects the Order dated July 5, 1985 shall remain in full force and in effect.

DECISION DATE: October 2, 1985

VOTE: 3-0 (John G. Parsons, William F. McIntosh and Carrie L. Thornhill to approve modification of plans; Charles R. Norris not voting, not having heard the case; Douglas J. Patton not present, not voting)

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

ATTESTED BY:



CECIL B. TUCKER
Acting Executive Director

FINAL DATE OF ORDER: 20 DEC 1985

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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