

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14667 of Towers Condominium Association, pursuant to 11 DCMR 3108.1 of the Zoning Regulations, for special exceptions to establish two valet shops as adjuncts to an apartment house in an R-5-A District at premises 4201 Cathedral Avenue, N.W., (Square 1601, Lot 9).

HEARING DATE: September 9, 1987
DECISION DATE: September 9, 1987 (Bench Decision)

FINDINGS OF FACT:

1. the site known as premises 4201 Cathedral Avenue is located on the northwest side of Cathedral Avenue at its intersection with Glover Archibold Parkway. The site is located in an R-5-A District.
2. The R-5-A District extends to the north, east and south of the site. R-1-B and R-1-A Districts are located to the east of the site.
3. The site is improved with a 13 story apartment building in two sections containing 619 apartments designed to house a total population of approximately 2000 persons.
4. Pursuant to Sub-section 3108.1 of the Zoning Regulations, the applicant is seeking a special exception to establish two valet shops as adjuncts to the apartment house.
5. The valet shops have been operated at the site for many years without a valid certificate of occupancy.
6. The two valet shops contain approximately 300 square feet each and are not visible or accessible directly from the street.
7. The shop will provide clothes cleaning and package receiving services. There is no processing of clothing on the premises. The services are provided only the occupants of the building.
8. The shops will be located one floor below floor of the building.
9. The apartment building is located a quarter mile from the nearest commercial district.

10. By memorandum dated August 27, 1987, the Office of Planning recommended approval of the application as it meets the requirement of Section 354 of the Zoning Regulations. The Board concurs.

11. Advisory Neighborhood Commission 3D recommended approval of the application as the use of the valet shops is only for the residents of 4201 Cathedral Avenue. The Board concurs with the recommendation of the ANC.

12. Numerous residents of the apartment building submitted statements to the record in support of the application.

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

CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception, the granting of which requires substantial evidence that the applicant has complied with the requirements of Sub-section 3108.1 and Section 354 of the Zoning Regulations. The Board concludes that the applicant has met its burden of proof. The facility provides a personal service to the residents of the apartment building. The facility is located below the main floor of the building. There is no direct entrance to the adjunct from the outside of the building. No part of the adjunct is visible from outside of the building. No signs indicating the existence of the adjunct are visible from the outside of the building. The building is located more than one quarter mile from the nearest principal business street frontage or district.

The Board further concludes that the special exception can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and will not affect adversely the use of neighboring property.

The Board concludes that it has accorded to the Advisory Neighborhood Commission the "great weight" to which it is entitled. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 4-0 (Charles R. Norris, Paula L. Jewell, William F. McIntosh and Carrie L. Thornhill to grant).

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

ATTESTED BY:


EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: OCT 16 1987

UNDER 11 DCMR 3103.1, "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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