

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15828 of William C. Paley Associates, pursuant to 11 DCMR 3108.1, for a special exception under Section 508.1 to establish a nonprofit office use on the first through third floors in an SP-1 District at premises 2023 Massachusetts Avenue, N.W. (Square 94, Lot 22).

HEARING DATE: June 9, 1993
DECISION DATE: June 9, 1993 (Bench Decision)

DISPOSITION: The Board GRANTED the application by a vote of 3-0 (Paula L. Jewell, Sheri M. Pruitt and Angel F. Clarens to grant; Maybelle Taylor Bennett and Carrie L. Thornhill not present, not voting).

FINAL DATE OF ORDER: June 29, 1993

MODIFICATION ORDER

The Board granted the application by its order dated June 29, 1993, subject to four conditions. By letter dated November 12, 1993, counsel for the applicant filed a timely motion to allow a modification of the order pursuant to Section 3335 of the Supplemental Rules of Practice and Procedure.

As originally submitted and approved the application related solely to the proposed use of the subject property for nonprofit use. No plans related to the building were submitted as part of the application, because no changes to the existing building other than internal, tenant-related changes were contemplated at that time. During the course of studying the renovation, the applicant, in conjunction with its architect, determined that a small infill addition of approximately 72 square feet on the second floor of the building would result in a more efficient utilization of space on the second floor, particularly in terms of the conference room facility and additional rest room facilities. The floor area ratio (FAR) of the building, with the addition, is within the permitted FAR. The area is already enclosed on the first floor level. The area on the second floor to be enclosed is located in the middle of the building and will not be visible from either Massachusetts Avenue N.W. or Q Street N.W.

The addition would have no impact on the adjacent properties or the neighborhood because it is an in-fill addition along an existing party wall. No adjacent windows are blocked. The addition further cannot be viewed from any public space. There was no opposition to the proposed modification of plans.

The Board waived Subsection 3335.6 of the Board's Rules which provides that no member shall vote on a request for modification of plans unless the member participated in and voted on the original decision because the majority of the Board membership has been changed subsequent to the original decision in this application. Those Board members who did not participate in the original decision on this application were provided with copies of the transcript and record of the subject case for review prior to consideration of the motion for modification.

Upon review of the request for modification, the record of the case, and its final order, the Board concludes that the proposed modification of plans is minor in nature and does not change the material facts relied upon by the Board in deciding the application. The special exception as originally approved is unaltered. No additional zoning relief is required. It is therefore **ORDERED** that the proposed modification is **APPROVED, SUBJECT** to the **CONDITION** that the addition shall be constructed in accordance with the plans marked as Exhibit No. 26B of the record. In all other respects, the order of the Board shall remain in full force and effect.

DECISION DATE: December 1, 1993

VOTE: 3-0 (Angel F. Clarens, Craig Ellis and Laura Marie Richards to grant; George Evans not voting, not having read the record).

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

ATTESTED BY:



MADELIENE H. ROBINSON
Director

DEC 30 1993

FINAL DATE OF ORDER: _____

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

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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, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

15828Order/SS/bhs

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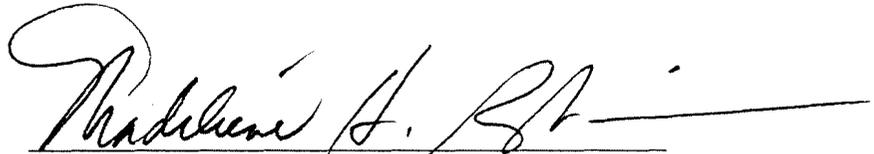
BZA APPLICATION NO. 15828

As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on DEC 30 1991 a copy of the order entered on that date in this matter was mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

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Dennis Bass, Chairperson
Advisory Neighborhood Commission 2B
1526 Connecticut Avenue, N.W.
Washington, D.C. 20036


MADELIENE H. ROBINSON
Director

DATE: _____

DEC 30 1991

15828Att/bhs