

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 359

CASE NO. 81-14

October 8, 1981

The application in Case No. 81-14 is a request from the 1701 New Hampshire Avenue Associates to amend the Zoning Map of the District of Columbia from D/R-5-B to SP-1 for lot 21 in Square 154 at 1701 New Hampshire Avenue, N.W. The applicant proposes to use the subject site for SP - type office uses.

The property is located at the northeast corner of the intersection of New Hampshire Avenue and "R" Street and comprises 1979 square feet of land. The site is triangular in shape and is developed with a four-story-plus-basement semi-detached brick dwelling which was built in the Georgian Revival style in 1908. The structure occupies about ninety percent of the lot, has an existing floor area ratio (FAR) of 4.2, and has no on-site parking accommodations.

The existing D/R-5-B zoning permits matter-of-right development of general residential uses including single-family dwellings, flats, and apartments to a maximum lot occupancy of sixty percent, a maximum FAR of 1.8, and a maximum height of sixty feet. This zoning will also permit chanceries of a foreign government with the approval of the Board of Zoning Adjustment (BZA).

The proposed SP-1 zoning for the site will permit, as a matter-of-right, all types of residential uses and other uses including a religious reading room, community center building, and an artist's studio. It will also permit, as a special exception, with the approval of the BZA, an office for a chancery, international agency, non-profit organization, labor union, and offices for professional persons; e.g., doctors, engineers, and lawyers to a maximum FAR of 4.0 (non-residential FAR limited to 2.5), and a maximum height of sixty-five feet.

The Commission believes that the applicant has failed to demonstrate that the application has sufficient merit to be set for public hearing, and that the hardship alleged by the applicant was of insufficient basis to warrant further consideration by the Commission.

The Commission further believes that the applicant failed to demonstrate why the existing building could not be used under the existing zoning, particularly since some of the previous and permitted uses included a chancery and residential uses.

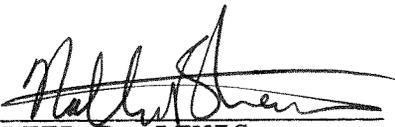
The Commission notes that in Z.C. Case No. 76-24 it comprehensively reviewed the zoning in the Dupont Circle Area and accordingly adopted numerous map amendments, subsequent to extensive analyses, testimony, and discussion. The Commission rezoned the subject site and some other property contiguous to it from R-5-C to D/R-5-B. Through its decisions in Case No. 76-24, the Commission developed certain city land-use policies in harmony with the Foreign Missions Element of the Comprehensive Plan. The Commission's action to rezone the subject site in that case was in the best interest of the District of Columbia.

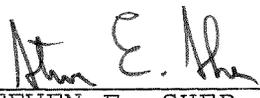
The Commission notes that the applicant, in BZA Case No. 13495, sought a variance to use all of the subject building for law offices. At its meeting on July 1, 1981, the BZA denied the application.

The Commission further notes that the Office of Planning and Development (OPD) by memorandum dated October 2, 1981, recommended that this application before the Zoning Commission not be set for public hearing.

Finally, the Commission notes that the Advisory Neighborhood Commission 2B by letter dated September 30, 1981, the Dupont Circle Citizens Association by letter dated October 1, 1981, and the North Dupont Community Association by letter dated October 2, 1981 opposed the scheduling of a public hearing for the application.

Based on the foregoing reasons, the Commission therefore orders that no hearing on this application be set and that the application be DENIED.


WALTER B. LEWIS
Chairman
Zoning Commission


STEVEN E. SHER
Executive Director
Zoning Secretariat

Vote of the Commission at the meeting held on October 8, 1981: 3-0 (John G. Parsons, Walter B. Lewis, and Ruby B. McZier, to deny-Lindsley Williams, abstained and George M. White, not present not voting)

In accordance with the Rules of Practice and Procedure
before the Zoning Commission of the District of Columbia,
this order is final and effective on FEB - 5 1982.