

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Board of Zoning Adjustment**



**Application No. 17582 of 656 Pennsylvania Avenue LLC, 666 Pennsylvania Avenue Associates and 327 7<sup>th</sup> ST SE LLC**, pursuant to 11 DCMR § 3103.2, for a variance from the building height requirements under section 770, a variance from the floor area ratio requirements under subsection 1572.3, and a variance from the off-street parking requirements under subsection 2101.1, to construct an office addition to several contiguous buildings in the CHC/C-2-A District at premises 656 Pennsylvania Avenue, S.E., 660 Pennsylvania Avenue, S.E., 325 7<sup>th</sup> Street, S.E., and 327 7<sup>th</sup> Street, S.E. (Square 873, Lots 115, 116 and 117).

**HEARING DATE:** March 20 and July 24, 2007  
**DECISION DATE:** July 24, 2007 (Bench Decision)

**SUMMARY ORDER**

**REVIEW BY THE ZONING ADMINISTRATOR**

The application was accompanied by a memorandum from the Zoning Administrator certifying the required relief.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register and by mail to Advisory Neighborhood Commission (ANC) 6B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6B, which is automatically a party to this application. ANC 6B submitted a report in support of the application. The Office of Planning (OP) also submitted a report in support of the application. Finally, the D.C. Department of Transportation (DDOT) filed its report stating no objections to the application. DDOT noted the Applicant's implementation of mitigation measures or conditions that are outlined in the Applicant's mitigation and transportation demand management plan (in Exhibit No. 32).

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for a variance pursuant to § 3103.2, for variances from §770, 1572.3, and 2101.1. No parties appeared

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Board of Zoning Adjustment  
District of Columbia  
CASE NO.17582  
EXHIBIT NO.2

at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the ANC and the Office of Planning reports filed in this case, the Board concludes that the applicant has met the burden of proving under 11 DCMR §§ 3103.2, 770, 1572.3 and 2101.1. that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.



Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application (pursuant to Exhibit 10 - Plans) be **GRANTED**.

**VOTE:**       **4-0-1** (John G. Parsons, Ruthanne G. Miller, John A. Mann II, and  
                                Marc D. Loud to grant; Curtis L. Etherly not present, not voting)

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

Each concurring member approved the issuance of this order.

ATTESTED BY: \_\_\_\_\_

  
JERRILY R. KRESS, FAIA  
Director, Office of Zoning 

FINAL DATE OF ORDER:     JUL 26 2007    

UNDER 11 DCMR 3125.9, "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 FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN

SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE §§ 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

TWR

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Board of Zoning Adjustment**



**BZA APPLICATION NO. 17582**

As Director of the Office of Zoning, I hereby certify and attest that on **JULY 26, 2007**, a copy of the order entered on that date in this matter was mailed first class, postage prepaid or delivered via inter-agency mail, to each party and public agency who appeared and participated in the public hearing concerning the matter, and who is listed below:

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Ken Golding  
President, Stanton Development Corporation  
(on behalf of 656 Pennsylvania Avenue LLC;  
666 Avenue Associates and 327 7<sup>th</sup> St SE LLC)  
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Chairperson  
Advisory Neighborhood Commission 6B  
921 Pennsylvania Avenue, S.E.  
Washington, D.C. 20003

Single Member District Commissioner 6B02  
Advisory Neighborhood Commission 6B  
921 Pennsylvania Avenue, S.E.  
Washington, D.C. 20003

Matthew LeGrant, Acting Zoning Administrator  
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**BZA APPLICATION NO. 17582**

**PAGE NO. 2**



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**ATTESTED BY:**

  
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**JERRILY R. KRESS, FAIA**  
**Director, Office of Zoning** 

TWR