

ANNOTATED OUTLINE OF TESTIMONY REGARDING  
PLANNING AND ZONING ISSUES RELATED TO PARTIAL CONVERSION OF  
OLD GEORGETOWN POST OFFICE AND CUSTOMS HOUSE  
BZA Case No 18382

JUL 24

Ellen M. McCarthy  
July 24, 2012

BOARD OF ZONING ADJUSTMENT  
District of Columbia

CASE NO. 18382

EXHIBIT NO. 28

THE APPLICATION MEETS THE TESTS FOR RELIEF

- A. Requirements for variance uniqueness, undue hardship (use) or practical difficulties (area), no adverse impact.
- B. **Uniqueness**
1. Individual Historic Landmark Status Predates Zoning Regulations and unification of Georgetown with DC, having been constructed in 1858.
  2. Building is Obsolete. Increased reliance on large sorting regional sorting facilities reduced the need for functions other than retail for the Post Office.
  3. No new non-institutional uses permitted as a matter of right. Only row houses permitted as a matter of right in R-3, there is NO private use which would be allowed as a matter of right in the landmark building. Conversion to multiple dwellings would also require use variance.
  4. Topography Although virtually the entire expansion will be to the lowest level, almost half of the lot is exposed, adding to building area and requiring area variances
- C. **Undue Hardship (Use Variance for Expansion of Nonconforming Use)**
1. USPS is in extreme financial distress, running a deficit of approximately \$10 billion, and must reduce its real estate expenses The disposition of this property is imperative *Monaco*—Board may consider institutional needs as grounds for hardship
  2. The status of the building as a Historic Landmark limits the ability to re-purpose the property Property cannot be demolished, and HPO has declined to approve above-grade additions through Section 106 process, determining that 1926 Addition is significant to building's historic character
  3. Modest expansion required for re-use (entrances, security, ADA), but since no private uses are permitted as a matter of right, a variance is required for all new uses Moreover, cost of required improvements without expansion cannot be

justified by lease or sale to institutional users (church, private library, youth residential care home) This poses an undue hardship.

**D Practical Difficulties (Area Variances for Lot Occupancy, Side Yard, Rear Yard)**

1. Insufficient space in main block to build required elevator; must add 200 sf floor area above 1926 addition.
2. Existing historic wall cannot be demolished Only buildable area that does not impact either historic addition or wall is in between, which requires building area and lot occupancy, and therefore side and rear yard relief.
- 3 Significant difference in topography across lot, and along lot line to East, which results in what would normally be a below-grade addition that is not included in building area, per ZA must be treated as lot coverage. This constitutes an increase in non-conforming commercial use and requires relief from rear and side yards in addition to lot occupancy
- 4 Expansion of the building above grade not permitted by HPO/Section 106 (despite approval by CFA of multiple schemes)
5. Small floor plate requires additional space for sustainable adaptive re-use of the building

**E No Adverse Impact**

1. Changes will provide for the preservation and restoration of a 150 year old landmark
2. No visible change from most perspectives ADA addition is minimal, and remaining expansion is, for all intents and purposes, underground.
3. Community support for repurposing historic building is evident in ANC support for the Commission of Fine Arts and the BZA hearings and CFA approvals
- 4 Increase in space is minimal – only 2,600 sf
5. No harm to the integrity of the zone plan from expansion of commercial space:
  - a. In commercial use for 150 years
  - b In a designated Regional Center per Comp Plan Generalized Policy Map.
  - c. Commercial uses on 3 sides of the property