

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR



October 9, 2013

RECEIVED
D.C. OFFICE
OF ZONING
2013 NOV 13 AM 9:32

Pamela Fierst
300 M Street, SW – NG2
Washington, DC 20024

Re: Lot 0302 in Square 0546
300 M Street, S.W.
(Part of 1st, Floor)
Zoned R-5-D

Dear Ms. Fierst:

Your certificate of occupancy application #CO-1302766 filed to use the subject premises as an "Yoga studio for group instruction" is disapproved due to the need for Board of Zoning Adjustment approval. The property for purposes of zoning is classified as R-5-D which does not allow your proposed use. You may, however, request a variance from (DCMR Title 11, Section 350.4) to allow the use. The variance must be approved by the Board of Zoning Adjustment.

The Board has authority to grant variances under provisions of DCMR Title 11, Section 3103.2 which reads as follows:

" With respect to variances, the Board has the power under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(3)(2001) (formerly codified at D.C. Code § 5-424 (g)(3) (1994 Repl.)), "[w]here, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under D.C. Official Code §§ 6-641.01 to 6-651.02 would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship; provided, 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."

This letter must be presented to the Office of Zoning which staffs the Board of Zoning Adjustment, in Room 210, 441 4th Street, N.W. If your request is granted, a new certificate of occupancy application must be filed.

Best regards,


Matt LeGrant
Zoning Administrator

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18698
EXHIBIT NO. 5