Government of the District of Columbia
OFFICE OF ZONING

MEMORANDUM

To: BZA Members

From: Sheri M. Pruitt,
Secretary to the Board of Zoning Adjustment

Date: July 10, 2000

Re: Application 16583 East of the River Community Development Corporation

On April 21, 2000, the office received a letter from the Zoning Administrator (ZA) indicating that the East of the River Community Development Corporation (ERCD) would require a special exception under §217 of the zoning regulations. Based on the April 21 letter the project was advertised as a special exception. On June 2, 2000, the office received from the applicant a copy of a memo from the (ZA) to Mrs. Kress. The letter confirmed that the (ERCD) would require a use variance for its proposed office building on Lot 53, in Square 5988. On June 19, 2000 at a joint meeting between the Office of Planning, Zoning Administrator, Corporation Counsel, and Office of Zoning was held to discussed the discrepancies between the two memos. At that time, the ZA stated that the April 21, 2000 memo was correct. Upon review and evaluation of the record, staff believes that the zoning relief cited in both the April 21, 2000 and June 2, 2000 letters is incorrect.

It is staff's opinion that the applicant requires a use variance pursuant to 11DCMR 3103.2 under §350.1 and area variances under § 403 for lot occupancy, under § 402 for Floor to Area Ratio, and under § 402 for height. Additionally, it is unclear whether or not the applicant has met the required off street parking requirement for 12 parking spaces.

ERCD has requested an expedited hearing due to the potential loss of funding. Staff has asked ERCD to provide the Board with a detailed explanation of the consequences if the hearing is continued. It is staff's understanding that this information will be available at the hearing on July 11, 2000.

BZA
CASE No. 16583
EXHIBIT No. 29

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Based on the above-mentioned issues staff recommends that the Board proceed with the application and amend the application at the hearing, with the condition, that if there is any minor objection, the record will be left open to for 2 weeks to allow for additional comment. However, if there is major opposition to the project the more prudent option will be to re-advertise and set a new hearing date.