CAPITOL HILL RESTORATION SOCIETY
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BZA No. 16629
233 Pennsylvania Avenue, SE
Square 762, Lot 839
Zone: C-2-A
Hearing Date: 10/31/00 AM

October 25, 2000

Board of Zoning Adjustment,
Room 210
441 4th Street, NW
Washington, DC 20001

The Capitol Hill Restoration Society SUPPORTS the above referenced application with the condition that parking be provided in the rear yard.

The Capitol Hill Restoration Society is a civic association with a current membership of over 950. The Society's interest district is defined in its bylaws and includes the premises involved in this application.

The Zoning Committee of the Capitol Hill Restoration Society considered the application on September 28, 2000. A quorum was present. The applicants were represented by Lyle Blanchard of Greenstein DeLorme & Luchs, attorney for the applicant; and James Kernan and Nancy Thurston of Hagner Management, property managers for the applicant.

The application.

This is an application for a variance to allow commercial use to exceed the maximum permitted as a matter of right. The premises are improved by a 4-story building that was the site of Sherrill's Bakery. Sherrill's used the first floor as a restaurant, but the upper floors apparently have not been used in recent years. Applicant's commercial use is limited to a floor area ratio of 1.5 (Sec. 771.2). The building is now being renovated and the first floor is leased to Ritz Camera for a retail store. Applicant proposes to use the second and third floors for office space. This will increase the area used for commercial to a FAR of 2.13. The fourth floor is not covered in this application and applicant plans to offer it for residential rental.

Discussion.

Over the years, the Society has supported variances to allow commercial use of upper floors of buildings in the C-2-A zones on Capitol Hill. We have long recognized the hardship faced by owners who cannot find residential tenants for walk-up apartments "over the store." We also believe that commercial use of upper stories in the commercial zones will lessen the incentives for illegal commercial use of residential properties. The

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Committee also notes that the Society is actively supporting a commercial zone overlay on Capitol Hill to increase the maximum FAR to 3.0, **all of which can be commercial.**

The Committee notes that a waiver of additional parking spaces is being sought because the building is a contributing structure in the Capitol Hill Historic District. At present, the small rear yard is walled-off from the alley. It could provide one and possibly two parking spaces. Access through the alley, however, is difficult because of what appears to be an illegal construction in part of the alley. We believe that the construction, if it is illegal, should be removed and applicant should open the rear yard for parking.

We are pleased to submit these views for your consideration.

Lyle R. Schauer
Zoning Committee Chair