STATEMENT OF EXISTING AND PROPOSED USE
1832 WISCONSIN AVENUE NORTHWEST
LOT 826 IN SQUARE 1298

The subject property is located in the D/C-2-A commercial zone. The property is bounded by 34TH Street, N.W. and Wisconsin Avenue, N.W.. The existing structure was built in 1928 and is in a Historic District. The lot area is 2,832.0 square feet and the average width of lot is 24.06 feet.

The existing masonry building has three stories and a basement. The first floor has retail use and the second and third floors have been used in the past as an eight unit apartment house. The applicant, Mr. Ozturk proposes to convert the eight residential units into an eight unit inn. Pursuant to Section 701.6(h), an inn is a permitted use in the D/C-2-A commercial zone. The maximum allowed floor area ratio in the C-2-A zone is 2.5 maximum or 7080.0 square feet.The existing gross floor area is 7880.0 square feet and the FAR is 2.78. The existing structure an excess of 800 square feet and excess FAR of 0.278. A building permit application was submitted twice to the Zoning Administrators Office and twice the Architect was denied approval and was told that the application would need an area variance from Section 771, the floor area ratio requirement in the C-2-A zone.

The standards by which the Board of Zoning Adjustment should approve area variances has been defined by the District Court of Appeals. Palmer v. BZA, 287 A.2d 535, 541 (D.C. 1972). An area variance should be granted when the following conditions are shown to exist:

(1) The property is unique because of its size, shape, topography and other extraordinary or exceptional situation or condition;

(2) The owner would encounter exceptional practical difficulties as a result of the strict application of the Regulations to its particular property; and

(3) The variance would not cause substantial detriment to the public good and would not impair the intent, purpose and integrity of the Zone PLan. Carlinger v. BZA, 412 A.2d 52, 53 (D.C. 1980); Capitol Hill Restoration Society, Inc. v. District of Columbia Board of Zoning Adjustment, 534 A.2d 939 (D.C. 1987).

BZA
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Exhibit No. 3

Board of Zoning Adjustment
District of Columbia
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EXHIBIT NO.3

The application for excess FAR does not entail an addition to the structure. The excess residential gross floor area has been used in the past as a permitted residential use. The applicant, Mr. Ozturk, request that the Board of Zoning Adjustment review and approve the application for a variance.