GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Building and Land Regulation Administration
Office of the Zoning Administrator

September 25, 2001

Edgar T. Nunley
4707 Brinkley Road
Temple Hills, Maryland
20748

Re: 1358 Girard Street, NW
Square: 2860 Lot(s): 56
(Basement through Second Floor)
Zoned: R-4

Dear Mr. Nunley:

Your certificate of occupancy application filed on behalf of JFC Builders of DC to use the subject premises as an "Apartment Building - 3 Units" cannot be approved at this time. Occupancy records indicate that the last authorized use of the subject premises is "Flat; B60757; 4/3/67". The building, for purposes of zoning, is located in the R-4 Zone District. The Zoning Regulations (DCMR Title 11, Section 330.5(c)), allow that a building located in the R-4 zone may be converted to an apartment building, as a matter-of-right, under the following conditions:

1. The building(s) must have existed prior to May 12, 1958; and,

2. The premises must meet the lot area requirements of Section 401.3 (900 sq.ft. per apartment unit).

Prior to approval of your application, you must provide proof that these conditions will be met. Proof of the lot area must be provided by a D.C. Surveyor's Building Plat, which may be obtained from the Office of the Surveyor at 941 North Capitol Street, NE.

If you are unable to meet these conditions, you may petition the Board of Zoning Adjustment and request a variance from the use provisions (Section 330.5(c)) of the R-4 Zone.

941 North Capitol Street, N.E., Suite 2000 Washington, DC 20002 Phone: (202) 442-4549 Fax: (202) 442-4863

BZA
Case No. 16803
Exhibit No. 8

Board of Zoning Adjustment
District of Columbia
CASE NO.16803
EXHIBIT NO.8

If the Board of Zoning Adjustment approves your request, you must provide off-street parking as follows:

"1 [space] for each 2 dwelling units"

"Proof of the parking must be shown on a D.C. Surveyor's Building Plat. Each parking space must be 9' x 19', covered with four (4) inches of an all weather impervious material, be accessible directly from a public street or alley, and be located on the same lot as the primary use.

If you are unable to meet the off-street parking requirements, a variance from the provisions of Section 2101 must be obtained. The Board of Zoning Adjustment has authority to grant variances under provisions of DCMR Title 11, Section 3103.2 which reads as follows:

> "As set forth in D.C. Code, Section 5-424(g)(3), 'Where 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. Code, Sections 5-413 to 5-432 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 the Board of Zoning Adjustment, Room 210, 441 4th Street, N.W., when requesting special approval. If your request is granted, a new certificate of occupancy application must be filed.

Sincerely,

Michael D. Johnson
Zoning Administrator

MDJ/TB/ee

BRINKLEYNET

Lot 56 in Square2860 | **1358 GIRARD STREET, NW** | Zoned R-4

NUMERICAL ANALYSIS WITH NOTES

	REQUIRED	ALLOWED	EXISTING	PROPOSED	NOTES
LOT AREA	**2700 sq. ft.** Conversion to Apartment Building		**2000 sq. ft.**	**2000 sq. ft.**	Variance 700 sq. ft. (25.9%)
LOT WIDTH	**18 ft.**		**20 ft.**	**20 ft.**	
LOT OCCUPANCY @ 60%		**1200 sq. ft.**	**1345 sq. ft.**	**1345 sq. ft.**	Variance 145 sq. ft. (12%) Existing
BULDING HEIGHT Feet		**40 ft.**	**35 ft.**	**35 ft.**	
Stories		**3 stories**	**3 stories**	**3 stories**	
FAR @	**N/A**				
FRONT YARD	**None**		**25 ft.**	**25 ft.**	
REAR YARD	**20 ft.**		**5 ft.**	**5 ft.**	Variance 15 ft. (75%) Existing
SIDE YARD	**N/A**				
Open Court Width	**N/A**				
CLOSED COURT Width	**N/A**				
Area					
OFF-STREET PARKING	**2**		**1 (credit)**	**1 (credit)**	Variance 1 space (50%)

Edgar T. Nunley
Zoning Services
(301) 423-4968