CAPITOL HILL RESTORATION SOCIETY
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BZA No. 16916
245 Second Street, NE
Square 757, Lot 844
Zone: CAP/R-5-B
Hearing Date: 09/24/02

2002 SEP 23 PM 12:16
D.C.

September 20, 2002

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

The Capitol Hill Restoration Society SUPPORTS the above referenced application.

The Capitol Hill Restoration Society is a civic association representing nearly 1,000 members. The subject premises are located within the Society's interest district, as defined in its bylaws, and in the Capitol Hill Historic District.

The Zoning Committee of the Capitol Hill Restoration Society considered the application on September 12, 2002. A quorum was present. Ashleigh Horne of Shaw Pittman represented the applicant. Mr. Joe Volk of the Friends Committee on National Legislation, the applicant, was present. Harry Gordon and Gina Baker represented the architectural firm on the project, Burr Hill Kosar Rittelmann Associates. No one appeared in opposition. The Committee unanimously voted to support. Under standing rules of the Board of Directors, this committee action becomes the position of the Society.

Statement of Facts

The building in question has been in continuous use as an office for non-profit organizations since 1958. In that year, the Board of Zoning Adjustment granted a use variance (Appeals #5239 and #5240) to the buildings designated as 201 and 203 C Street, NE. The buildings were then on separate lots that were combined into the present tax lot 844. The buildings were extensively remodeled and combined into a structure now designated as 245 Second Street, NE.

The applicant now wishes to remove a rear addition that dates to the 1958 remodeling and to replace it with a larger addition. A third-story addition is proposed for a portion of the building (the former 203 C Street building) that is now two stories in height. The Historic Preservation Review Board has approved removal of the present rear addition and has approved the design for the proposed additions.

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Board of Zoning Adjustment
District of Columbia
CASE NO.16916
EXHIBIT NO.33

Description of Zoning Relief Sought

The building is devoted to a nonconforming use, under the use variance granted in 1958. Expansion of a nonconforming use requires a variance from Section 2002.5 of the Zoning Regulations. No other variance is required: lot occupancy, floor area ratio, and the height of the additions are all within matter-of-right limits in the R-5-B zone and the Capitol Interest District.

Applicant Meets Requirements for a Variance

The Committee believes that the three pronged test for a variance are met:

(1) The property is unique because this building has been altered for office use under the 1958 order and cannot readily be used for residential purposes.

(2) Applicant would be subject to undue hardship if it cannot modernize this building, which is no longer suitable for modern office use.

(3) The proposed addition will not adversely affect other properties, nor will it adversely affect the integrity of the zone plan.

We are pleased to submit these views for your consideration.

Lyle R. Schauer,
Chair, Zoning Committee