Statement of Samuel C. Reynolds before the BZA -- Application No. 17228

Mr. Chairman and members of the Board

My name is Samuel C. Reynolds. I have been operating a real estate brokerage and appraisal firm in the neighborhood of 3109 Georgia Ave. N.W. for the last 55 years. 2 ½ years ago we moved into the subject building.

We found that only a small part of the building works as a residential building so we are seeking an area variance to increase the FAR for commercial use. We are in the C-2-A Zone District which permits 2.5 FAR overall but only 1.5 FAR commercial. The variance will not involve any expansion of the building. Basically, it alters the ratio of commercial and residential uses. This change also requires us to seek a variance from the parking requirement for one additional space since no land is available to provide it.

This is a three-story structure on a 1,600 square foot lot. 1.5 FAR would be 2,400 square feet allowed for commercial use. We plan to have real estate offices on the first and second floors and a portion of the basement. The rear of the basement is now an apartment and will continue in that use.

We have commercial buildings all around us in that section of Georgia Avenue so our expanded commercial use will not change the character of the neighborhood.

The property is unique in that there is no useful rear yard. Moreover, there is no internal access between the front and rear of the basement and between the basement and first floor. In addition, the ceiling in the front part of the basement is only 6'8" which cannot be used for residential use under the current code.

Our practical difficulty comes from the layout of the structure which makes it hard to mix residential and office uses in the same building, except for the rear of the basement.

On the first floor where we have brokerage offices and conference rooms, it would be difficult, if not impossible, to carve a portion of the space for residential use. There is only one stairway to the second floor and it is midway on the first floor. The building is only 20 feet wide so there is no room for a second stairway. So, separating the entrance and access to the office space on the first floor and apartments on the second floor is next to impossible.

It would also be hard to mix commercial and residential uses on the second floor because, once the doors to the apartment are closed, there would not be enough light and air. The windows are only at the front and rear of the structure. Also, there is only one bathroom on the second floor and it would have to be shared by both office workers and residents. Secondly, the entrance to the bathroom is outside what would be residential space. It is directly opposite the top of the stairs. Finally, the fire escape is at the rear of the building and office workers would not have access to it if it were blocked by a locked apartment

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door. If we were not allowed to use the second floor and basement for office space, the space would have to go unused for anything.

We also need relief from the parking requirement because the building occupies nearly 88.75% of the lot leaving no room for parking.

In view of the large amount of commercial on the block, it is unlikely that substantial commercial use of this building would pose any negative effects. There is sufficient street parking during the day and night. Our business attracts some walk-in traffic but, unlike a retail store, it is not that much.

Finally, I can report that this matter was discussed last December at the ANC 1A meeting and the commission approved the variance. Unfortunately, the ANC has been unable to find a copy of the resolution as passed, although both the secretary and the Chair remember it. They saw no reason to take the matter up again. We assume that copies were sent to the Office of Zoning but they are not in the Board's files.

I will be happy to answer any question you might have.