CAPITOL HILL RESTORATION SOCIETY
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February 17, 2005

Jerrily R. Kress, FAIA
Director, Office of Zoning
Suite 210
441 4th Street, NW
Washington, DC 20001

RE: BZA# 17288

Dear Director Kress,

The Capitol Hill Restoration Society Zoning Committee at a meeting held on February 10, 2005, considered the above case. For the reasons noted below, the Committee voted unanimously to support the appeal.

The property the subject of this appeal is a nonconforming use within a structure in that it is a solid waste transfer facility within a CG/CR zone. The appellant proposes to construct "..weight scale replace/repair: weight scale, structural steel, roof, siding, concrete floor, overhead doors, bathroom, scale house." The cost of the renovations is proposed to be $400,000 and the work proposed is an interior renovation with no change in use or capacity.

The Committee believes that the appellant was erroneously told to apply for a variance. Section 2002.4 applies to this situation. The section provides that "ordinary repairs, alterations, or modernizations may be made to a structure or portion of a structure devoted to a nonconforming use." We believe that the work proposed here is in the nature of ordinary repairs and modernizations and should be permitted without a variance.

Accordingly, we urge the Board to grant the appeal.

Respectfully,

Gary M. Peterson, Chair
Capitol Hill Restoration Society
Zoning Committee

CC: Roy Goldberg, Esquire

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BZA
Case No. 17288
Exhibit No. 18

Board of Zoning Adjustment
District of Columbia
CASE NO. 17288
EXHIBIT NO. 18