



P. O. Box 15264 Washington DC 20003-0264  
202-543-0425

April 24, 2018

Sara Benjamin Bardin  
Director, Office of Zoning  
Suite 210  
441 4<sup>th</sup> Street, NW  
Washington, DC 20001

RE: BZA#19737—500 13<sup>th</sup> St SE

Dear Director Bardin,

This case involves the application to locate a real estate office in a building that is zoned RF-1, former R-4, residential. The two story building, circa 1924, was built with commercial on the first floor and residential on the second floor. It is located on the southeast corner of 13<sup>th</sup> and E Street, SE. The neighborhood is full of new or soon to be new residential. The property is currently used as residential and the applicant needs a use variance to convert it to office use.

In order to get a use variance the applicant must show: 1. An exceptional situation resulting in an undue hardship, 2. No substantial detriment to the public good, and 3. No substantial harm to the Zoning Regulations.

On April 12, 2018, the Committee considered the case and voted to oppose this application as it applies to the second floor that was built for and is occupied as residential. The purpose of the RF Zone is to preserve housing and the applicant did not present evidence showing that it cannot be used as it is already used. The Committee also voted to oppose the application for the first floor reasoning that there are many examples on Capitol Hill of corner commercial properties being converted to residential and the applicant did not prove that doing so created an “undue hardship” (emphasis added).

Please note that the applicant has submitted a report of a planner who cites the Pennsylvania Avenue, SE Corridor Small Area Plan as supporting office at this location. On page 3 of his report, in underlined and bold type, he states that the plan says “Active

ground floor retail is encouraged, with upper-story small offices...” This quote is not finished, and it reads “ ...upper-story small offices or residential.” The omitted words significantly change the meaning.

Respectfully,

A handwritten signature in black ink, appearing to read 'Gary M. Peterson', with a long horizontal line extending to the right.

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