



## MEMORANDUM

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Maxine Brown-Roberts, Project Manager  
Joel Lawson, Associate Director Development Review

**DATE:** March 11, 2014

**SUBJECT:** BZA 18699 – 2712 11<sup>th</sup> Street, N.W.

### **I. APPLICATION AND RECOMMENDATION**

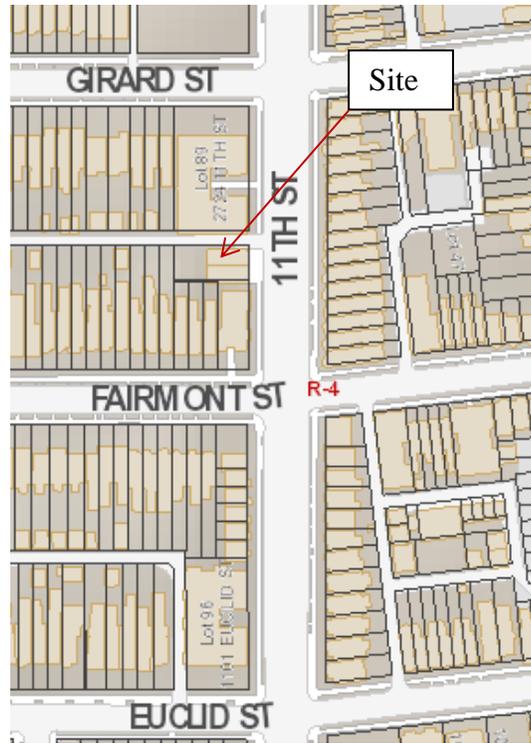
The original application by John Kelsey (applicant) requested, pursuant to 11 DCMR § 3104.1, Special Exception review of the provision of § 2003.1, to establish a pick-up/drop-off dry cleaners in the R-4 zone. Subsequently, the Zoning Administrator (ZA) in a letter dated January 16, 2014, issued a second referral letter stating that the relief required is a variance, pursuant to 11 DCMR § 3103.2 from the requirements of § 330.5 to allow the pick-up/drop-off dry cleaners in the R-4 zone.

The Office of Planning (OP) recommends **APPROVAL** of the requested variance.

### **II. AREA AND SITE DESCRIPTION**

Address	2712 11 <sup>th</sup> Street, N.W.
Legal Description:	Square 2859, Lot 855
Ward/ANC:	1/ANC-1B
Lot Characteristics:	A rectangular shaped lot that has an area of 3,389.8 square feet and fronts on 11 <sup>th</sup> Street, NW with a 16-foot wide public alley to its north.
Existing Development:	The property is developed with a 1-story building that is divided to accommodate two commercial uses. One portion is occupied by a laundromat and the second portion is vacant.
Zoning:	R-4: The R-4 district is primarily developed with rowhouses but also accommodates some low density apartments.
Adjacent Properties:	To the east are 2- and 3-story row houses and flats; to the south is a 4-story condominium building and 2- and 3-story rowhouses; to the west are 2- and 3-story rowhouses; and to the north is a 3-story apartment building all within the R-4 zone.
Surrounding Neighborhood Character:	The neighborhood is developed with a mixture of row dwellings, flats and garden apartments.
Historic District	The property is not within a historic district.





Site Location



Photograph of Site

## II. PROPOSAL

The applicant proposes a dry cleaning drop-off and pick-up service in the vacant portion of the building. All items will be taken off-site to be dry-cleaned.

## III. OFFICE OF PLANNING ANALYSIS

The subject property was developed prior to 1958 with a one-story commercial building and was used as a grocery store until its closure in 1968. On April 16, 1969, the BZA granted Appeal No.

9986 for a dry cleaning plant to occupy the site. The last Certificate of Occupancy (B109532<sup>1</sup>) for the dry cleaning plant was issued on April 1, 1983. The applicant states that the dry cleaning plant was subsequently closed in the late 1980's and the space has since remained vacant. Presently, one portion of the building is occupied with a laundromat and the second portion, the subject of this application is vacant. Since the site has been vacant and not used for more than three years, a use variance from § 330.5 is required.

### **Use Variance Relief from § 330.5**

#### **i. Exceptional Situation Resulting in a Hardship**

The property's exceptional situation stems from the building's history of being constructed as a commercial structure for commercial use as well as its current configuration. As a result of these extraordinary conditions, the building would not be easily converted to residential use.

The size, approximately 850 square feet, and the open interior configuration of the space would make the property difficult to use as a residence while being ideally suited for the proposed use. The building contains no kitchen facilities, a small bathroom and undivided interior spaces. Therefore, conversion to residential use would require major reconfiguration of the space and would be a major undertaking. Conversion to a residential use may not be practical or compatible to the existing laundromat on the other portion of the building. The BZA Appeal and the Certificate of Occupancy indicate that the subject portion of the building was formerly used as a dry cleaning plant and had it remained in place the proposed use would not have required a use variance. All these factors would present a hardship to the applicant if he were required to convert this portion of the building to residential use.

#### **ii. No Substantial Detriment to the Public Good**

Granting of the requested relief would not be a substantial detriment to the public good as it would result in the reuse of a space that has been vacant for a number of years. Further, the use is a neighborhood service facility and it is not envisioned that customers would travel from other neighborhoods to use the facility. Unlike the prior use, the proposed use would only be a location to drop off and pick up facility and there would not be any use of dry cleaning chemicals to produce fumes or odors which could affect the surrounding area. The hours of operation would be 7:00 am to 8:00 pm Mondays to Saturday and all activities would take place within the building.

The approximately 850 square feet space is below the threshold for a parking requirement. The applicant states that it is expected that approximately 80% of the customers would be generated from the neighborhood and that most persons would walk to the site. The remainder may drive and would be accommodated in the off-site, short term, parking spaces located in front of the building and along 11<sup>th</sup> Street.

The surrounding area includes a mixture of residential and institutional uses. The building was designed to have commercial uses to serve both the residents the neighborhood. The drop-off/pick-up dry-cleaning service would not adversely affect the character or development of the area.

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<sup>1</sup> See Applicant's submission

**iii. No Substantial Harm to the Zoning Regulations**

The zoning regulations allow nonconforming uses that are considered to be neighborhood facilities within the R-4 zone. The BZA previously determined that a dry cleaning plant on this site is a neighborhood facility. The proposed dry cleaning drop-off and pick-up use would be of a lesser intensity and would have no detrimental effects. Therefore, granting the relief from § 330.5 would not impair the intent, purpose, and integrity of the Zoning Regulations and Map.

**IV. COMMENTS OF OTHER DISTRICT AGENCIES**

The Department of Transportation (DDOT) submitted a report under separate cover which indicate that the proposal would have no negative transportation impacts.

**VII. COMMUNITY COMMENTS**

The subject property is within ANC-1B. At the time of this report, the application was presented to the Design Review Committee of the ANC on February 25, 2014 and received a recommendation of approval. The full ANC at its March 6, 2014 did not vote on the application due to the lack of a quorum.

**ATTACHMENT**

**1. BZA Appeal No. 9986**

## ATTACHMENT 1

### BZA Appeal No. 9986

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - April 16, 1969

Appeal No. 9986 John D. Cokinos, et al, appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on April 23, 1969.

EFFECTIVE DATE OF ORDER - May 28, 1969

ORDERED:

That the appeal for permission to change a nonconforming use from a grocery store to a dry cleaning plant not to exceed 2,500 square feet at 2712 - 11th Street, NW., lots 83 and 852, Square 2859, be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.
2. The property is improved with a one story building used as a grocery store under Certificate of Occupancy No. B-48378 until April, 1968.
3. A coin operated laundromat is adjacent to the property and has been there for approximately ten years.
4. Appellant proposes to establish a dry cleaning plant not to exceed 2,500 square feet.
5. There shall be no more than five (5) employees.
6. No opposition to the granting of this appeal was registered at the public hearing.

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OPINION:

We are of the opinion that this use will not have an adverse affect upon the present character and future development of the neighborhood and will not substantially impair the purpose, intent, or integrity of the Zoning Regulations and Map.

This Order shall be subject to the following conditions:

No neon or gas tube displays shall be located on the outside of the building nor shall any such displays, if placed inside the building, be visible from the outside.

There shall be no more than five (5) employees.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:

  
CHARLES E. MORGAN  
Secretary of the Board

THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.