



MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Jennifer Steingasser, Deputy Director

DATE: April 7, 2011

SUBJECT: BZA Case 18187 – Request to expand a nonconforming dentist’s office at 4545 Connecticut Avenue, NW
Office of Planning Supplemental Report

At the March 29th public hearing, the Board asked the Office of Planning (OP) to examine how the proposed expansion of the dentist’s office would be evaluated under proposed zoning regulations that would allow limited non-residential uses in residential zones.

Staff conferred with Travis Parker, project manager of the Zoning Review effort, as well as with the Office of the Attorney General (OAG). The most recent proposal would permit uses in the “Service” use category, such as a dentist’s office, as a conditional use, meaning they would be permitted as a matter-of-right if several criteria are met. The criteria listed below come from the most recent draft zoning text and should be regarded as very preliminary and subject to change.

- 603.15 Service uses are permitted as a matter of right provided the use conforms to the following list of conditions:
- (a) There are no mixed use zones within five hundred (500) feet of the lot;
 - (b) There are no more than two (2) other lots containing Service uses within five hundred (500) feet of any portion of the lot;
 - (c) The use will not occupy or use any space above the ground floor;
 - (d) The use will not exceed two thousand (2,000) square feet in total floor area;
 - (e) The use will not operate between 8:00 p.m. and 8:00 a.m.;
 - (f) The use may have no more than four (4) employees on site at any given time including the owner;
 - (g) Only one (1) external sign may be displayed on the building’s facade, provided that the sign is not illuminated and is flush-mounted;
 - (h) All storage of materials and garbage shall occur indoors;
 - (i) Any parking shall be fully screened from all adjacent properties, streets and alleys in a manner consistent with D § 702.3 ; and

- (j) There is no on-site use or storage of dry-cleaning chemicals.

Because the existing use would already not meet all of the criteria, it would remain a nonconforming use. It would therefore remain subject to prohibitions on the expansion of nonconforming uses, or at the very least would require a variance in order to expand.

JS/mrj

Matt Jesick, Project Manager