

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**

January 11, 2016

Kate M. Olson., Esq.
John Patrick Brown, Jr., Esq.
Greenstein DeLorme & Luchs, P.C.
1620 L Street, N.W. - Suite 900
Washington, D.C. 20036



Re: 7723 Alaska Avenue, NW - Square 2957, Lot 13 ("Property")

Dear Ms. Olson and Mr. Brown:

In response to the information and documentation you have provided to me (attached to this letter) and the meeting held in my office on October 7, 2015, this letter is to confirm my determination that the nonconforming use of a portion of the Property presently used as dental office may be changed to residential dwellings, a different non-conforming use, subject to approval by the Board of Zoning Adjustment ("BZA") pursuant to 11 DCMR § 2003.

The Property consists of a three-story building in the R-2 Zone District with a dental office on the first floor, residential units on the second and third floors and ancillary apartment uses in the basement.¹ Although there are current Certificates of Occupancy allowing both uses, neither the dental office nor the apartment building uses are allowed as a matter-of-right in the R-2 Zone District and therefore these uses are considered "nonconforming".

A nonconforming use may be changed to a use that is permitted as a matter-of-right in the most restrictive zone district in which the existing nonconforming use is permitted as a matter-of-right. In this case, the existing office use (including dental and medical offices) is first permitted in the C-1 Zone and the proposed new apartment use is also permitted in the C-1 Zone and the more restrictive R-4 and R-5 Zones.

Therefore the Applicant may apply for a special exception to the BZA, under § 2003, to approve the change of nonconforming uses at the Property.

I trust this letter is responsive to your request.

Sincerely,

A handwritten signature in black ink that reads "Matthew Le Grant".

Matthew Le Grant
Zoning Administrator

Enclosure

File: Det Let re 7723 Alaska Ave NW to Olson 1-11-16

¹ I understand the Applicant wishes to change the first floor from a dental office to dwelling units and also change the basement to dwelling units. Since the basement is already used for ancillary apartment uses, no relief would be necessary to change this to residential dwelling units.