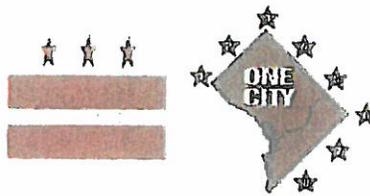


GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR

February 28, 2014

Via Email PDF

Lyle M. Blanchard
Greenstein DeLorme & Luchs, P.C.
1620 L Street, NW, Suite 900
Washington, DC 20036-5605



Re: 335 C Street, SE – Square 791, Lot 817

Dear Mr. Lyle Blanchard:

This is to confirm, based on our discussion on January 31, 2014 and the information provided, that I am satisfied that you have demonstrated the nonconforming use as a three unit apartment building with one floor of office for the existing property at 335 C Street, SE. The subject property is located on the southwest corner of C and 4th Streets, S.E. and is zoned CAP/R-4.

The R-4 District permits matter-of-right residential flat uses (including row dwellings). Also, a non-conforming use such as an apartment building is permitted to continue if the apartment building existed before May 12, 1958 and such use continues to exist today. You advised that the building on the subject property was constructed in 1875 at approximately the same time as the other adjacent buildings were constructed at 323, 325, 327, 329, 331 and 333 C Street, S.E. The building on the subject property is of similar construction to these neighboring buildings and, like the adjacent buildings, it has a partially above grade basement level that has been occupied as an apartment (see enclosed photograph). Each of these adjoining buildings has a certificate of occupancy allowing use of the basement level as an apartment. Although there is not a certificate of occupancy explicitly showing use of the subject property as a three unit residential building, there are certificates of occupancy showing that the property has been used as mixed-use building with first floor retail or office use and flats above (e.g., separate apartments on the second and third floors) since the early 1950s.

You also advised that there was a fire in the basement level apartment prior to the current owner's purchase of the property in 2007 and that the enclosed photograph of the post fire clean up taken by the current owner shows a shower stall, built-in bookcases, a closet and the remnants of a kitchen area which indicate a prior apartment use. Such prior apartment use of the basement level is also corroborated by a letter from Mr. Christopher Davis who formerly resided at 329 C Street, SE and knew the former tenant of the basement apartment in the subject property. He confirmed that such apartment was rented and occupied at least from 2005 until the fire in-2007.

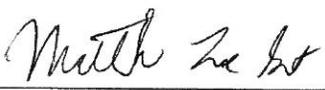
The current owner of the subject property obtained building permits in 2011 and 2012 to renovate the basement as a dwelling unit (B1210699) and replace the electrical panel and move it from the interior of the basement to the outside of the building (B1202583). These renovations included the relocation of a five meter electrical panel (one meter for each of the four units (3

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residential and one commercial) and a “house” meter for the common areas), which also indicates the existence of a separate apartment in the basement level. The renovations of the basement dwelling unit passed all inspections (see enclosed) but there was no previous certificate of occupancy explicitly noting that non-conforming use.

Based on the totality of the above circumstances, I conclude that there is significant evidence establishing the non-conforming use of the property as a three unit apartment building with apartments on the basement, second and third floors and first floor office. The property owner is required to obtain a new certificate of occupancy reflecting this occupancy load.

Please let me know if I may be of further assistance.

Sincerely, 
Matthew Le Grant
Zoning Administrator

Enclosures

File: Det Let re 335 C St SE to Blanchard 2-28-14