

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



August 8, 2012

Norman M. Glasgow, Jr.
Steven E. Sher
Director of Zoning and Land Use Services
Holland & Knight LLP
800 17th Street NW, Suite 1100
Washington, D.C. 20006

Re: Residential Real Estate Broker as Preferred Service Use in the ARTS Overlay

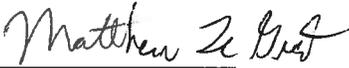
Gentlemen:

This is to follow-up on our discussion on Thursday, March 22, 2012, concerning permitted uses in the Uptown Arts (ARTS) Overlay District. You asked me to consider whether a residential real estate broker could occupy space as a preferred retail and service use. Such uses are regulated under §§1902 and 1904 of the ARTS Overlay.

The list of preferred retail and service uses is set forth in §1907. Included in that list are a "bank, loan office or financial institution" (§(f)), a "clinic" (§(k)) and a "travel agency or ticket office" (§(oo)). In addition, §(rr) allows "Other similar personal/consumer service establishment or retail use."

It is my view that a residential retail broker is very much like the other offices cited above, in that it is aimed at providing personal services primarily to local residents or future local residents of the area. All of the cited uses, including a residential broker, are also uses which will attract pedestrian traffic and will activate the ground floor frontages of buildings along the street. Accordingly, I conclude that the office of a residential real estate broker is a preferred service use within the meaning of §1907.

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

Sincerely, 
Matthew Le Grant
Zoning Administrator

File: Det Let re Real Estate Broker in ART Overlay to Sher 8-8-12