

SATISFACTION OF THE VARIANCE BURDEN OF PROOF

Mt. Olive Baptist Church has been in existence in Washington, DC, since 1873. The "old" Church building was re-built in 1916, and the current Church building was built in 1976. Both buildings are on the same record lot, and the old Church building has been vacant for at least the last 10 years.

As the Mt. Olive congregation has grown, it has perceived a need, within their church community and within the surrounding geographic community, for a child development center. Mt. Olive also wished to solve the problem of what to do with the existing vacant structure on their property, the old Church building.

Mt. Olive has devised a comprehensive solution that will provide the needed Child Development Center, and provide for the renovation of the 95-year old Church building (the "Old Church"). The proposal includes the complete renovation of the Old Church, and the construction of an addition (the "Addition"). The Addition is essentially the construction of a roof connecting the Old Church to the existing Church building on the same lot. That addition requires relief in the following areas: (i) relief from the Lot Occupancy requirements under §403 and the restrictions against additions to nonconforming structures under §2001.3. The current lot occupancy is 63%. The proposed lot occupancy is 73%. The Addition will also extend an existing nonconformity as to the rear yard setback; (ii) relief from the parking requirement of four spaces (the proposed Child Development Center will have a staff of twelve (12) persons).

The Mt. Olive property is unique in that it includes the 95-year old vacant Old Church, adjacent to, but on the same Lot as, the existing Church. The property cannot reasonably be subdivided. Mt. Olive did not want to demolish a building which is a historic resource to the Church, and restoration of the Old Church requires a small addition. A strict application of the Zoning Regulations would present an unnecessary burden to Mt. Olive because it would prevent it from restoring the Old Church. The percentage amount of the lot occupancy variance is thirteen percent (13%), and a variance is also requested for four (4) parking spaces. The addition to lot occupancy involves a simple roof connection in the area of the breezeway between the Old Church and the existing church, and will not have any impact on any surrounding properties. There is plenty of on-street parking available in this area, so there should be no significant impact from the granting of a parking variance. The relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, or integrity of the zone plan as embodied in the Zoning Regulations and Map. The variances are minor in nature, and will allow the restoration of the Old Church and the provision of a needed Child Development Center.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO.

18291

EXHIBIT NO.

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