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Statement of Intended Use

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18418
EXHIBIT NO. 4

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**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

Application of Pilgrim Baptist Church

STATEMENT OF INTENDED USE AND RELIEF SOUGHT

I. NATURE OF RELIEF SOUGHT

The Pilgrim Baptist Church ("PBC" or "Applicant") is the owner of the property located on Lot 0800 in Square 0888 at 712 I, NE. The property at 712 I, NE is located adjacent to the main sanctuary building of PBC and is currently zoned R-4. This is an application by PBC for a Special Exception to operate administrative offices for Pilgrim Baptist Church to house 5 staff members at the stated location and premises for the said purpose.

IV. THE PROPOSED USE

Pilgrim Baptist Church proposes to use the property to house the administrative offices of the church and to provide office space for not more than five (5) employees of the church. The employees will perform routine administrative activities of the church and from time to time will serve as the staging center for special and identified projects that will be managed by volunteer staff person. The existing structure will serve as the premises for the offices and there will be no changes to the premises or construction changes necessary to convert or in any way change the building or the property there around.

The administrative offices will operate from 8 am to 5pm Monday thru Friday and from 10am until 2 pm on Saturdays. On Sundays the building will be closed for office activities.

**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

Application of Pilgrim Baptist Church

***STATEMENT OF COMPLIANCE
FOR
BURDEN OF PROOF***

V. COMPLIANCE WITH THE SPECIAL EXCEPTION CRITERIA

The Board is authorized under § 8 of the Zoning Act, D.C. Official Code 6-641.07(g)(2), to grant special exception, as provided in said title, where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps subject in each case to § 216 if approved.

The subject property is zoned R-4, which permits matter-of-right development of single-family residential uses including detached, semi-detached and row dwellings and flats for detached structures, with a minimum lot of 40 feet and lot area 4000 square feet for detached structures.

The use of the property as administrative offices for the PBC is allowed by §216.1 if approved by the Board subject to the generic standards of § 3104 and the specific criteria reviewed below.

§216.2 The program shall not be operated for profit, but shall be organized exclusively for the promotion of the social welfare of the community

Pilgrim Baptist Church is a tax exempt religious organization that is operated to provide religious services to the community and congregation of the church. The administrative offices of the church shall be operated by PBC employees overseeing a variety of programs for the church and the community. All of the activities of the church employees are in support of the activities of the church and are sanctioned as nonprofit activities as is required by this subsection. The PBC congregation specifically is a direct beneficiary of the activities of the church and the operation of administrative offices that facilitate and manage church programs and activities

promote the social welfare of the community. The greater community at large also is a beneficiary of the activities of the PBC and the activities of the church, i.e. a child daycare program; facilities to operate civic meeting, ANC meeting and other community activities all contribute to the social welfare of the community.

§216.3 The part of the church program conducted on the property shall be carried on within the existing church building(s) or structure(s).

The location for the proposed administrative offices is a building owned by PBC, located along the property line of the church immediately east of the church that abuts the church property proper. The building located at 712 I Street, NE is located adjacent to the foot print of the church building and property line. The property is within twenty feet (20) of the church building. The applicant premises has several rooms that are sufficient to provide office space for church employees, meeting rooms and storage space for church files and equipment. All of the administrative activities and functions of the church shall be operated exclusively within the stated premises. Based upon the current use of the property as an occasional church auxiliary office structure and in view of the point that there has been no disruption of the use and enjoyment of the adjacent property owners, the applicant property under current BZA regulation appear to qualify this structure as a church property for purposes of Section 216.3. However, if the Boards interpretation is such that the structure does not so qualify for purposes of Section 216.3, then it is the request of the applicant that a variance is granted from this section to allow the applicant to operate the proposed program in the existing building.

§216.4 The staff conducting the program shall be composed of persons, at least seventy-five percent (75%) of whom volunteer their time and services.

The current staffing of the administrative offices of the church consist of three salaried employees of the church, however many of the administrative functions of the church are performed by volunteers that comprise a staff of approximate 10 workers. The volunteer \staff work on an unspecified work schedule but perform specific assigned duties. Pursuant to the requirements of this section the current staffing of the program falls within the requirements of 216.4. The administrative staff and the volunteer staff are the principle persons operating the church programs within the church.. While the exact number of volunteers will vary depending on church activities and functions, it is anticipated that the actual staffing of the administrative offices shall not fall below the requirements for this section

§216.5 The operation of the program shall be such that it is not likely to become objectionable in the Residential District because of noise and traffic.

The PBC has engaged in a vigorous out-reach program to inform community residents of the proposed use of the property. In meetings with community organizations, civic associations and the local ANC, PBC has outlined the proposed use of the subject property as an administrative office for the church. The premise that is subject to this application has been owned by the church for a period of years and has been use from time to time on a very limited

basis to operate church activities and there have been no complaints from adjacent neighbor about noise from the premises or additional traffic. The proposed use of the property shall not result in the development of additional traffic in the community. The persons who will be housed in the proposed offices currently are housed in the main sanctuary of the church. The church currently has parking on property owned by the church and no additional parking is necessary. The employees now housed in the church will relocate to the premises approximately 20 feet east of their current location.

If the Board finds that additional parking may be necessary to approve the requested Special Exception then the applicant is prepared and provide future evidence of to support and to dedicate three parking spaces on the church parking lot directly across the street from the premises to meet the requirement of one parking space per 600 square feet of building program space. The three dedicated spaces shall be located within twenty-five feet of the program site.

Given the favorable situation of the premises and small size of the program and other factors cited above, the Applicant is of the Opinion that the program will not in any meaningful way, disrupt the peaceful enjoyment of the home owners of the community contiguous to the site of the training program..

§216.6 *No sign or display indicating the location of the program shall be located on the outside of the building or the grounds.*

In compliance with the provision of this section, the program will not display any signs or advertisement on the outside of the building or grounds where the program is housed. All activity advertising the program will be achieved through community outreach activities.

§216.7 *Any authorization by the Board shall be limited to a period of three (3) years, but may be renewed at the discretion of the Board.*

The applicant is aware of the 3 year limitation on the authorization provided in this section. Under this section, the applicant requests an exception to allow the initial administrative use of the property to operate for a period of five (5) years before renewal. The church currently operates on a five year planning cycle. The proposed relocation of the administrative offices for the stated extended period of time would permits proper development, transition, implementation and evaluation of the proposed offices. This will be a new site for the church offices that will require a period of adjustment. Like any relocation of offices, organization, implementation, evaluation and adjustments to changing condition will require time. An exception to this provision to allow the program to operate for five years is therefore requested.

VI. Compliance with § 3104

Section 3104 authorizes the Board of Zoning Adjustment to grant variances subject to the specific criteria for the individual use, reviewed above, and subject to a finding that the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Map and will not tend to adversely affect the use of neighboring property.

The facts and analysis in this statement document concludes that the proposed use of the premises, that is the subject of this application, as administrative offices for PBC will be compatible and in harmony with the requirements of DCMR section 3104. The purpose of the R-4 Districts is to provide for quiet residential areas, where “only a few additional and compatible uses shall be permitted.” (11 DMCR 200.2) The proposed administrative offices will be an entirely compatible use with the surrounding residential neighborhood and is consistent with the intent of the R-4 District purpose statement.