

Application 18707
Antioch Baptist Church

Additional supporting information:

1. Received a positive written email response from the ANC indicating that he would be providing a letter of support in regards to this application by the end of this week. My only direct contact was with the residents who occupy the Lot 13 which is adjoining the subject property. They did not offer any objection and offered their assistance and interest in submitting a bid for the possible concrete surface that may be required.
2. We do not anticipate opposition from the community as we have been utilizing this parcel in the requested capacity for in excess of 15 years unbeknownst to us that we were doing so in an unauthorized manner. We also have community relations with the immediate neighborhood through membership, community outreach efforts and our presence in this location for 90 years.
3. Written revisions to the previously submitted site plans with proposals in a strong effort to comply with portions of DCMR Title 11 Section 2303 as follows:
 1(a) - The surface is covered with gravel and we are prepared to correct the surface if required (received information that the surfacing standards may be changing in the immediate future);
 1(f) and 2303.2 - We are prepared to meet the landscaping and screening requirements in one effort by providing 12" wide 42" high evergreen hedges on three sides of the lot which would provide more than 5% landscaping. Additionally, we've operated this lot in the proposed capacity for more than 15 years and have continued to maintain the property assuring that the appearance is neat and well-manicured.
4. A separate parcel of land, owned and managed by the church adjoins this subject parcel and is in use as an accessory parking lot (approved under 16024). This lot serves as parishioner parking. Efforts to consolidate the two lots would not be in the best interest of the community or financial interest of the church. Extreme excavation and construction would be required. Additionally, the existing parking lot is extremely elevated from the subject parcel. Supporting pictures are included.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18707

EXHIBIT NO. 27

28 Jan 2014

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Comments related to addressing Section 214 of the Zoning Regulations:

214 ACCESSORY PARKING SPACES (R-1)

214.1 Accessory passenger automobile parking spaces elsewhere than on the same lot or part of a lot on which any principal R-1 use is permitted, except for a one-family dwelling, shall be permitted as a special exception in an R-1 District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.

Comment: Application submitted to request this action.

214.2 Accessory parking spaces shall be in an open area or in an underground garage no portion of which, except for access, shall extend above the level of the adjacent finished grade.

Comment: We are in compliance.

214.3 Accessory parking spaces shall be located in their entirety within two hundred feet (200 ft.) of the area to which they are accessory.

Comment: We are requesting relief from this requirement. The immediate property surrounding the church does not contain sufficient nor suitable space to accommodate this parking requirement. The parking spaces available are for the daily use of Church employees and the resident Day Care center that operates on this site.

The subject property in this application would definitely not make a negative or detrimental impact to the public good as it has been operated in this manner for more than 15 years, albeit unknown to us, without proper authorization. There is also no negative impact on the surrounding neighbors.

Relief from this variance would not invoke detriment to the intent, purpose and integrity of the zoning regulation as there are similar uses in the immediate vicinity. The adjoining lot received similar relief under Order #16024.

214.4 Accessory parking spaces shall be contiguous to or separated only by an alley from the use to which they are accessory.

Comment: We are requesting relief from this requirements in that the subject property is separated by a public street and an accessory parking lot which is used for parishioners. The subject property is owned by the church and serves NO other useful purpose. Our existing facility accommodates all space required for Worship services, meetings, offices, training, recreation, outreach ministry and inventory storage.

214.5 All provisions of chapter 23 of this title regulating parking lots shall be complied with, except that the Board may in an appropriate case under § 2303.3 modify or waive the conditions specified in § 2303.2 where compliance would serve no useful purpose.

Comment: The provisions of Chapter 23 are as follows: 2303.1 (b), (c), (d), and (e) are in compliance; 2303.1 (a), (f), and 2303.2 are addressed in the Site Plan; 2303.3, 2303.4 and 2303.5 are provisions that warrant the Board's discretion.

214.6 It shall be deemed economically impracticable or unsafe to locate accessory parking spaces within the principal building or on the same lot on which the building or use is permitted because of the following:

(a) Strip zoning or shallow zoning depth;

(b) Restricted size of lot caused by adverse adjoining ownership or substantial improvements adjoining or on the lot;

- (c) Unusual topography grades, shape, size, or dimensions of the lot;
- (d) The lack of an alley or the lack of appropriate ingress or egress through existing or proposed alleys or streets; or
- (e) Traffic hazards caused by unusual street grades or other conditions.

Comment: Of the potential space available regarding the principle building and the same lot, items (b) and (c) strongly support our request for special exception and variance relief to support our application. Additionally we staff daytime employees and have a resident day care center, whose employees utilize the spaces available at the rear of the principle building adjoining the alley. This space also provides access to our fenced small landscape area which is utilized for outdoor recreation for the Day Care. Lastly – this space also houses our waste receptacle and requires access for the dump truck to empty.

214.7 Accessory parking spaces shall be so located, and facilities in relation to the parking lot shall be so designed, that they are not likely to become objectionable to adjoining or nearby property because of noise, traffic, or other objectionable conditions.

Comment: We are in compliance.

214.8 Before taking final action on an application for use as an accessory parking space, the Board shall submit the application to the D.C. Department of Transportation for review and report.

Comment: On 28 Jan 2014 I met with a D.C. Dept. of Trans. representative during a site visit to the subject property.

Written testimony in summation for Application 18707:

I received the responsibility of certain church operations in January of 2013. My first inquiry was why this subject property was being taxed when all other parcels owned by the church were exempt.

I contacted DCRA for guidance and was referred to the OCFO. The OCFO accepted the application in April of 2013 and began working on the issue. I received an immediate request from Ms. Newman of the OCFO indicating a Certificate of Occupancy and a Certificate of Good Standing were required to complete the exemption process. These items should be obtained by DCRA.

I contacted DCRA immediately (in person visit) and the following occurred over a period of 5 months:

First rep indicated I needed to put an application in and get denied and appeal to the BZA. I asked how to go about that process. He sent me back to the front desk. The front desk sent me back to the records division to check for a copy of the Cert of Occupancy. There was no street address so I was informed there was no such Certificate. Went back to the front desk to be sent to another rep who indicated I needed to apply for an address but before I could do that I had to go up to the Surveyor's office and order a copy of the land plat. Once that was obtained I was able to order the address. Did that – took the address to the records division and still no Certificate on this address. Did more research only to discover that the new address was the former address but had been revoked many years prior. By now I have spoken with at least SEVEN DCRA representatives ALL in the same general area and have addressed my initial concern to EACH of them. Finally, during a visit unrelated to this issue – I was approaching the DCRA customer service desk and was approached by a young lady who apparently saw the disgust on my face and ask if she could assist me. I informed her of my requirement – and she directed me to Ms. Beeton on the 3rd Floor. Ms. Beeton and her staff immediately addressed the issue and NEVER missed a beat to get me to where we are now.

At this point I am learning step by step, the process regarding this request. The church officials who would have handled prior matters of this sort are deceased, sickly or otherwise disengaged. Documentation at the church is somewhat available – but to little useful degree. So from scratch we're attempting to move forward.

Each regulation that you read makes reference to several other regulations that have compliance factors and before long you realize you almost need a degree in regulations to follow through, understand and address all of the provisions.

I have been blessed to have had assistance at BZA and with Mr. Jackson of the Office of Planning.

We are requesting special exception and variance relief with regard to a parcel of property that we purchased in 1996 that is adjoining to a parcel that we received zoning

relief for in 1995. After the purchase of the property – the appropriate permits were approved to fence the lot to keep it clear of debris and to classify its use as a vacant lot. This information was discovered during the timeframe in which I submitted the current application.

The subject property is of limited use to us in its location and size. For more than 15 years we have parked our church owned vehicles within the fenced area to secure them from vandalism and theft. I was not aware of the particulars regarding the improper and unauthorized use until I advanced in the application process.

It was recommended that we seek plans to redevelop the adjoining accessory lot and combine the two and seek relief in that regard. The two parcels, although adjoining, are not compatible for merging without MAJOR excavation, construction and a complete reconfiguration of both parcels of land. The existing accessory lot is elevated approximately 6 to 8 feet from the subject lot. One lot would need to be lowered or the other significantly raised. The plans alone would be a financial strain on the church.

The principle property that houses the church does not provide adequate space to include accessory and secure parking for these vehicles due.

As indicated, the lot has been used in this capacity for more than 15 years. The continued use of such, if approved, would not negatively impact the neighboring property owners, would not negatively impact or impede the existing zoning regulations nor would this action cause any inconvenience with regard to compliance requirements.

We are immediately prepared to address any probably impervious surface, landscaping and screening deficiencies. Based on our understanding of the DCMR Title 11 sections that apply to the variance and exception waivers in our application, we have addressed all other concerns.

We have been informed of strong support from the ANC concerning this application and remain a strong pillar for more than 90 years in this community and this exact location.

It is our strong desire to be in compliance with the laws of the District of Columbia and maintain that we will strive to be pro-active in regards to any and all matters in respect thereto.

Your attention to and consideration of this matter is GREATLY appreciated.

Joseph Brown
Antioch Baptist Church
Washington, DC

28 Jan 2014