

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

November 5, 2013



Antioch Baptist Church
1105 50th Street, N.E.
Washington, DC 20019

**Re: Lot 0012 in Square 5174
5014 Lee Street, N.E.
Washington, D.C. 20019
(Vacant lot)
Zoned R-2**

**BOARD OF ZONING ADJUSTMENT
District of Columbia**
CASE NO. 18707
EXHIBIT NO. 5

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Ladies and Gentlemen,

Your certificate of occupancy application CO1400291 filed to use a portion of the subject premises as an "Accessory parking/storage for church vehicles and snow plow" is disapproved due to the need for Board of Zoning Adjustment relief.

The property for purposes of zoning is classified as **R-2** which does not allow your proposed use. You may, however, request a variance from (DCMR Title 11, Section 214.4) to allow accessory parking/storage not contiguous to, or separated by an alley from the use to which it is accessory. The variance must be approved by the Board of Zoning Adjustment.

The Board has authority to grant variances under provisions of DCMR Title 11, Section 3103.2 which reads as follows:

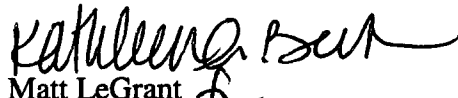
"With respect to variances, the Board has the power under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(3)(2001) (formerly codified at D.C. Code § 5-424 (g)(3) (1994 Repl.)), "[w]here, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under D.C. Official Code §§ 6-641.01 to 6-651.02 would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship; provided, that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map."

In addition, you will be required to obtain a special exception under the provisions of DCMR Title 11, Section 214 to establish accessory parking storage for a church to be located elsewhere than on the same lot where the church is located in the R-2 Zone. The Board of Zoning Adjustment has authority to grant special exceptions under provisions of DCMR Title 11, Section 3104.1.

This letter must be presented to the Board of Zoning Adjustment, Room 210, 441 4th Street, N.W., when submitting an application for the Board's consideration. If your request is granted, a new certificate of occupancy application must be filed with the Department of Consumer and Regulatory Affairs for the final review, along with a copy of the BZA order granting approval. If any conditions were placed on the BZA approval, the applicant must provide documentation of compliance with these conditions prior to approval of the certificate of occupancy.

Note: All applicants must provide the Office of the Zoning Administrator with submission verification, in the form of a formal receipt from the BZA, within 30 days of the date this memo.

Best Regards,


Matt LeGrant
Zoning Administrator

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