



ADVISORY NEIGHBORHOOD COMMISSION 4C

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April 8, 2015

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Board of Zoning Adjustment
Office of Zoning
One Judiciary Square
441 4th St NW
Suite 200S
Washington, DC 20011

Re: BZA Case No. 18967

Dear Board of Zoning Adjustment:

At a properly noticed community meeting on April 8, 2015 and with a quorum present, the 4C Commissioners voted to oppose the BZA special exception (BZA Case 18700) request for a variance to permit a second floor addition at 5401 16th St, NW, Washington, DC 20011.

The applicant, Buddhist Congregational Church of America, requests the BZA to provide a special exception from the SSH-1 Overlay requirements under § 1553.2, to construct a second floor addition to an existing church in the SSH-1/R-1-B District at premises 5401 16th Street N.W. (Square 2718, Lot 44).

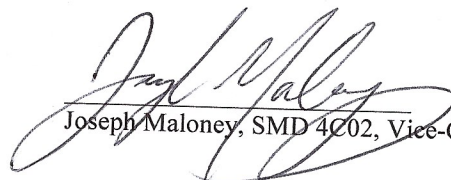
We wish to further inform the Board that, as of this writing and public consideration of the applicant's request, multiple attempts by Single Member District Commissioner Joe Maloney to contact the applicant were unsuccessful. Applicant never once returned phone calls, and never once sought the community's feedback on this special exception. They were invited to present at this public meeting, and they never responded to the invitation.

Moreover, the surrounding community has conveyed several concerns in years past related to Church events and their noise levels, parking both on-site at the Church's facilities, in the rear of the property in the adjoining alley with the 5300 block of Colorado Ave NW and on the 5400 block of 16th St. NW, and the behavior of congregants and ingress/egress from the community on worship days. We take this opportunity today to inform the Board that the Church has steadfastly refused to work with neighbors in a constructive manner, with these multiple concerns never seeing any remedy whatsoever.

Based on the foregoing, ANC 4C respectfully requests that the BZA give great weight to the 4C Commission position to oppose the special exception request for 5401 16th St, NW, Washington, DC 20011. Please see attached ANC Written Report.



Vann-Di Galloway, Chair ANC 4C



Joseph Maloney, SMD 4C02, Vice-Chair ANC 4C

P.O. Box 60847
Washington, DC 20039

801 Shepherd Street, NW
Washington, DC 20011

Board of Zoning Adjustment
District of Columbia
CASE NO.18967
EXHIBIT NO.26



BEFORE THE ZONING COMMISSION AND
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA



FORM 129 – ADVISORY NEIGHBORHOOD COMMISSION (ANC) REPORT

Before completing this form, please review the instructions on the reverse side.

Pursuant to §§ 3012.5 and 3115.1 of Title 11 DCMR Zoning Regulations, the written report of the Advisory Neighborhood Commission (ANC) shall contain the following information:

IDENTIFICATION OF APPEAL, PETITION, OR APPLICATION:

Case No.:	18967	Case Name:	Buddhist Congregational Church of America
Address or Square/Lot(s) of Property:	5401 16th St. NW 20011		
Relief Requested:	Special Exception		

ANC MEETING INFORMATION

Date of ANC Public Meeting:	08/04/15	Was proper notice given?:	Yes ☒ No ☐
Description of how notice was given:	see attached		

Number of members that constitutes a quorum:	6	Number of members present at the meeting:	9
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MATERIAL SUBSTANCE

The issues and concerns of the ANC about the appeal, petition, or application as related to the standards of the Zoning Regulations against which the appeal, petition, or application must be judged (a separate sheet of paper may be used):

see attached

The recommendation, if any, of the ANC as to the disposition of the appeal, petition, or application (a separate sheet of paper may be used):

see attached

AUTHORIZATION

ANC	4C	Recorded vote on the motion to adopt the report (i.e. 4-1-1):	9-0
Name of the person authorized by the ANC to present the report:	Joseph Maloney		
Name of the Chairperson or Vice-Chairperson authorized to sign the report:	Joseph Maloney		
Signature of Chairperson/ Vice-Chairperson:		Date:	4/8/15

ANY APPLICATION THAT IS FOUND TO BE INCOMPLETE MAY NOT BE ACCORDED "GREAT WEIGHT" PURSUANT TO
11 DCMR §§ 3012 AND 3115.

ANC4C WRITTEN REPORT

Submitted to
THE BOARD OF ZONING ADJUSTMENT
Pursuant to Section 3115 of the BZA Regulations

CASE NUMBER 18967

APPLICATION OF BUDDHIST CONGREGATIONAL CHURCH OF AMERICA

Hearing Date: May 5, 2015

Date Submitted to BZA: April 21, 2015

a. An identification of the application:

Case Number : 18967

Case Name : Application of Buddhist Congregational Church of America

Case Summary : (Special Exceptions) Request pursuant to 11 DCMR § 3104.1, for a special exception from the SSH-1 Overlay requirements under § 1553.2, to construct a second floor addition to an existing church in the SSH-1/R-1-B District at premises 5401 16th Street N.W. (Square 2718, Lot 44).

ANC : 4C

b. When the public meeting of ANC4C to consider the application was held:
April 8, 2015, at the Petworth Library

c. Whether proper notice of that meeting was given by ANC4C:

ANC4C rules require ten (10) days notice to the community that the Application would be on the April 8, 2015 ANC4C Meeting Agenda. This Notice was provided on March 30, 2015 to the community through community listserve serving the area in which the Applicant is located (16th Street Neighborhood Association).

d. The number of members of ANC4C that constitute a quorum and the number of members present at the meeting:

Quorum: 6 - 9 Members present at April 8, 2015 meeting:

e. The issues and concerns of ANC4C about the application as related to the standards of the Zoning Regulations against which the application must be judged:

As stated by the BZA in its notice, Application 18967 (filed pursuant to 11 DCMR § 3104.1 for a special exception from the SSH-1 Overlay) is to be reviewed to determine compliance with the requirements in Section 1553.2 (of the SSH Overlay regulations).

Section 1553.2 provides

A proposed new nonresidential use or an expansion of an existing nonresidential use in excess of ten percent (10%) of gross floor area shall be permitted as a special exception, if approved by the Board of Zoning Adjustment after public hearing, in accordance with § 3104 and subject to the following requirements:

- (a) The nonresidential use is capable of being established and operated without adversely affecting the use and enjoyment of neighboring and nearby properties due to traffic, noise, design, or other objectionable conditions; and
- (b) There shall be adequate, appropriately located, and screened off-street parking sufficient to provide for the needs of the maximum number of occupants, employees, congregants, and visitors who can use the facility at one time; provided:
- (c) The number of parking spaces provided shall be not less than the number required by chapter 21 of this title and shall be located and designed so that they have the least objectionable effects on contiguous or nearby property because of noise, traffic, or other objectionable conditions;
- (d) Parking spaces and driveways providing access to them shall not be located in a required side yard, or on the lot between the principal building and a street right-of-way, nor in public space abutting the lot;
- (e) If five (5) or more open parking spaces are provided, the parking spaces shall be screened from all contiguous residential property by a wood fence or a wall made of brick or stone at least twelve inches (12 in .) thick and forty-two inches (42 in .) high, or by evergreen hedges or evergreen growing trees that are thickly planted and maintained and are at least forty-two inches (42 in .) in height when planted; and
- (f) Any lighting used to illuminate open parking spaces shall be so arranged that all direct rays of lighting are confined to the surface of the paved area devoted to parking; any lighting provided shall be the minimum necessary for reasonable visibility by drivers and for security purposes.

ANC4C reviewed this Application at its April 8, 2015, meeting at which time, it heard from both the Applicant and the community.

f. The recommendation of ANC4C as to the disposition of the application:

ANC4C **does not support** the Application for the following reasons:

- (1) Applicant has not demonstrated that property currently has parking requirements for maximum number of worshippers, considering current strain on immediate neighbors.
- (2) Applicant has steadfastly refused to meet with community and respond to community concerns.
- (3) Applicant has not returned ANC 4C correspondence relative to this matter.

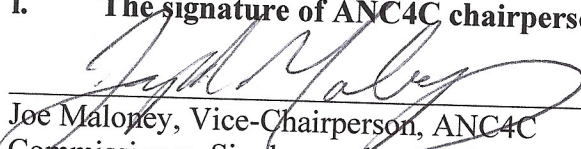
g. The vote on the motion to adopt the report to the Board:

9 In Favor 0 Opposed 0 Abstained

h. The name of the person authorized by ANC4C to present the report:

Joe Maloney, Commissioner, Single member district, ANC4C02

i. The signature of ANC4C chairperson or vice-chairperson:


Joe Maloney, Vice-Chairperson, ANC4C

Commissioner, Single member district, ANC4C02