Government of the District of Columbia
BOARD OF ZONING ADJUSTMENT

Application No. 16600 Union of American Hebrew Congregations, pursuant to 11 DCMR 3103.2 and 3104.1, for a special exception under Subsection 508.1 for the construction of an addition to an existing building for office use, a variance under Section 531.1 from the floor area ratio requirement and a variance under Section 2001.3(b) and (c) from the limitation on additions to non-conforming structures devoted to conforming uses in a DC/SP-1 District at premises 2027 Massachusetts Avenue, N.W. (Square 94, Lot 21).

HEARING DATE: September 19, 2000
DECISION DATE: September 19, 2000

SUMMARY ORDER

The zoning relief requested in this case is self-certified, pursuant to 11 DCMR 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, by mail to Advisory Neighborhood Commission (ANC) 2B, and to owners of property within 200 feet of the site.

The site of this application is located within the jurisdiction of ANC 2B. ANC 2B, which is automatically a party to this application, submitted a written statement in support of the application.

As directed by 11 DCMR 3119.2, the Board required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for special exception and variance from the strict application of the requirements of 11 DCMR 3104.1 and 3103.2. No person or entity appearing as a party to this case testified in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3104.1, that the requested relief 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.

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#35

The Board also concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3103.2, that there exists an exceptional or extraordinary situation or condition related to the property which creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the requested 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. It is therefore **ORDERED** that this application be **GRANTED, SUBJECT** to the following **CONDITIONS:**

1. The Applicant shall remove the painted wall signage from the Q Street, N.W., frontage of the property, with the understanding that the Applicant retains the right, subject to appropriate DC government approval, to install on the property signage of the pre-manufactured variety (i.e., metal, plastic, wood) by means of attachment to the building or on post on the grounds of the property.

2. The Applicant shall provide proper parking signs on the Q Street side of the building.

3. The Applicant shall consult with the ANC Commissioner, in whose Single Member District the property exists, on design of the signage.

4. The Applicant shall maintain and keep clean the parking area on the property.

5. The Applicant shall, subject to appropriate DC government approval, construct a trash enclosure on the property (Exhibit No. 32 of the record). The enclosure is to be properly maintained and is to house a combination of dumpster and trashcans. Trash is to be picked up at regular intervals. The area surrounding the trash enclosure is to be kept clean at all times.

6. The Applicant shall consult with ANC 2B should there be substantial change to the trash enclosure from the design identified at Exhibit No. 32 of the record.

7. The Applicant shall provide additional trees and landscaping.

Pursuant to 11 DCMR 3101.6, the Board waives the requirement of 11 DCMR 3125.3 that findings of fact and conclusions of law accompany the order of the Board. The waiver will not prejudice the rights of any party, and is appropriate in this case.

VOTE: 3 – 0 (Robert Sockwell, Anne Renshaw and Anthony Hood to approve; Rodney Moulden and Sheila Cross Reid not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: _____
JERRILY R. KRESS, FAIA
Director

FINAL DATE OF ORDER: OCT 26 2000

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO 3125.6."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF TWO YEARS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

BAB/9.29.00

Government of the District of Columbia
BOARD OF ZONING ADJUSTMENT

BZA APPLICATION NO. 16600

As Director of the Office of Zoning, I hereby certify and attest that on OCT 26 2000 a copy of the order entered on that date in this matter was mailed first class, postage prepaid, to each party who appeared and participated in the public hearing concerning the matter, and who is listed below:

Norman M. Glasgow, Jr.
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ANC Commissioner 2B02
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Michael Johnson, Zoning Administrator
Building & Land Regulation Administration
941 North Capitol Street, N.E., Suite 2000
Washington, DC 20009

ATTESTED BY: _____
JERRILY R. KRESS, FAIA
Director