STATEMENT OF BURDEN OF PROOF FOR VARIANCE RELIEF

The Friends Committee on National Legislation (the "FCNL") requests variance relief so that it may expand its office space located at 245 Second Street, N.E. (the "Property"). The FCNL is entitled to variance relief pursuant to 11 DCMR §3103.2, because it can demonstrate: (1) an extraordinary or exceptional situation or condition of the Property; (2) practical difficulty and undue hardship in satisfying the strict application of the Zoning Regulations; and (3) no harm to the public or to the zone plan.

The Property is subject to an extraordinary and exceptional situation because it has a history of use as an office building for non-profit organizations. In 1958, the BZA granted a variance to permit establishment of offices of non-profit organizations. A copy of the order is attached. The FCNL would experience undue hardship if it were unable to renovate the Property because its facilities are outdated and unsuitable to modern office use. Finally, the project will not cause harm to the public or to the zone plan. The FCNL does not intend to increase its staff or host large groups of visitors. Accordingly, the renovation and expansion will not cause an increase in traffic or noise in the area. Indeed, the project will benefit the public by making the rear of the Property more aesthetically pleasing, restoring the historic façade of the building, and increasing accessibility to disabled persons. The proposed addition has already received conceptual design approval from the Historic Preservation Review Board ("HPRB").

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Board of Zoning Adjustment
District of Columbia
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EXHIBIT NO.9