ShawPittman LLP

A Limited Liability Partnership Including Professional Corporations

September 10, 2002

BY HAND DELIVERY

D.C. Board of Zoning Adjustment
Suite 210
441 4th Street, N.W.
Washington, D.C. 20001

Re: BZA Application No. 16916 – Application of the Friends Committee on National Legislation ("FCNL") Education Fund (the "Applicant") - Pre-Hearing Statement

Dear Members of the Board:

Enclosed please find an original and 19 copies of the Applicant's pre-hearing statement for the above-mentioned application. This application is scheduled for a public hearing on September 24, 2002.

If you have any questions or comments, please feel free to call the undersigned at (202) 663-8000.

Respectfully Submitted,

Paul A. Tummonds, Jr.

Ashleigh Horne

cc: ANC 6A
Venita Ray, OP

BZA
Case No. 16916
Exhibit No. 28

Board of Zoning Adjustment
District of Columbia
CASE NO.16916
EXHIBIT NO.28

BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

Application of The FCNL Education Fund

BZA Application No. 16916
Hearing Date: September 24, 2002
ANC 6A

STATEMENT OF THE APPLICANT

This is an application of The Friends Committee on National Legislation ("FCNL") Education Fund ("Applicant") to allow the alteration and expansion of their existing building located at 245 Second Street, N.E. The Applicant purchased the building in 1957, and has utilized it as the headquarters for its social advocacy for over forty years. FCNL is a nonprofit organization established by the Quakers to promote social issues such as world peace, human rights, equal access to healthcare, civil liberties, the rights of Native Americans, and the abolition of the death penalty. Because the facilities in the existing building are outdated and do not comply with many current ADA, fire safety, and building code requirements, the Applicant wishes to renovate and expand the existing building.

I.
Nature of Relief Sought

The building is located at 245 Second Street, N.E., Lot 844, Square 757 (the "Subject Property"). The Subject Property is located in the R-5-B Zone District, within the Capitol Interest Overlay District, which does not permit nonprofit office use as a matter-of-right. The Applicant requests variance relief from the Board of Zoning Adjustment (the "BZA" or "Board") to permit necessary upgrades to its aging office space on the Subject Property. The necessary zoning relief has been verified by the Zoning Administrator (Exhibit I). The Applicant's satisfaction of the standards for granting variance relief is discussed in detail in Section IV of this statement.

II.
Jurisdiction of the Board

The Board has jurisdiction to grant the relief requested pursuant to Section 3103.2 of the Zoning Regulations (11 DCMR §3103.2).

III.
Background

A. Description of the Property and Surrounding Area

The Subject Property is located at the intersection of 2nd and C Streets, N.E., two blocks from the Capitol and two blocks from Union Station. As shown in the pictures of the surrounding area (Exhibit E), federal institutional uses are the predominant land use to the west of the Subject Property. These uses include the Hart Senate Office Building, a large parking lot, and the Capitol Police headquarters building located across 2nd Street from the Subject Property. The headquarters office building of the Veterans of Foreign Wars is located in the same Square as the Subject Property at the corner of 2nd Street and Maryland Avenue and the Young Woman's Christian Home is located immediately behind the FCNL building at 235 2nd Street, N.E. St. Joseph's Church is located directly across C Street from the Subject Property and residential uses are located along C Street. A map of the surrounding area is attached as Exhibit K.

B. History of the Building

The Subject Property is improved with a two and three-story building, which has been used by FCNL as its headquarters for over forty years. In 1958, the BZA approved an application for a use variance to allow nonprofit offices on the Subject Property. (See BZA Order Nos. 5239 and 5240 (Exhibit B)). In its order, the BZA observed that, at that time, the building was a "run-down piece of property." The Board found that the Applicant had satisfied

the variance standard because "it is not economically feasible to devote the building to its zoned purpose as residential," "the building ... was previously used as a nonconforming use which prohibits structural alterations," and "the request 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." (*Id.*) FCNL has been the only nonprofit organization to use the Subject Property as an office since the Board's approval of the use variance in 1958. Throughout these 40 years, FCNL has been a thoughtful and considerate neighbor and has become a fixture of the neighborhood. During this period, FCNL has not undertaken any expansion or upgrade of its facilities.

C. Description of the Proposed Upgrades to the Existing Building

The proposed modifications of the existing building include restoration of the historic exterior facades, partial demolition of the non-historic elements, and some minor additions to the existing building. The proposed additional gross floor area to added to the building will consist of a total of approximately 1,509 square feet. The proposed addition will create more efficient office spaces and will provide much needed upgrades to the building. Throughout the first, second and third floors, the interior configuration of the existing office spaces will be modified to bring FCNL's facilities into the 21st Century, rather than the mid-20th Century. Upgrades to the mechanical/electrical space of 632 square feet, more than doubling such space currently, will bring the building up to current codes. In addition, upgrades will be made to the fire alarm system and the building will be fully sprinklered for the first time. The existing building does not have ADA compliant toilet rooms or code compliant stairs. Upgrades to the building will create ADA compliant toilet rooms and stairs. The ADA and building code related upgrades to the building account for 73% of the proposed additional gross floor area.

The existing building has a total floor area of 5,688 square feet (the existing cellar space also includes 1,638 square feet which is not included in the gross floor area calculation of the building), with current lot occupancy of 56 percent and a floor area ratio of 1.38. The upgraded building will have a gross floor area of approximately 7,197 square feet (2,938 square feet is located in the cellar which is not included in the gross floor area calculation of the building). The proposed lot occupancy will be 60%, with a floor area ratio of 1.74. The maximum height of the building will be 37 feet 9 inches. Five fully compliant parking spaces will be provided on the Subject Property. The upgraded building satisfies all applicable requirements of the CAP/R-5-B Zone District.

The Subject Property is located in the Capitol Hill Historic District. The proposed restoration of the historic facades, partial demolition of the building and proposed addition has received conceptual design approval from the Historic Preservation Review Board ("HPRB").

D. Areas of Necessary Relief

The proposed project will continue to be devoted to nonprofit office use. This use is not permitted as a matter of right in the CAP/R-5-B District. Thus, the Applicant requests a use variance so that it may expand the existing nonprofit office use. The Zoning Administrator has determined that the relief requested by the Applicant is appropriate. (See Exhibit I).

IV.
The Application Meets the Requirements for Variance Relief Under Section 3103.2 of the Zoning Regulations

The burden of proof for a use variance relief is well established. The Applicant must demonstrate that: (i) the property is affected by an exceptional or extraordinary situation or condition; (ii) that the strict application of the Zoning Regulations will result in undue hardship to the Applicant; and (iii) that the granting of the variance will not cause substantial detriment to

the public good or substantially impair the intent, purpose or integrity of the zone plan. *See, e.g.*, *National Black Child Development Institute v. D.C. Board of Zoning Adjustment*, 483 A.2d 687, 690 (D.C. 1984). In examining the first two elements, the BZA may "apply a more flexible standard for determining hardship when a 'public service,' or nonprofit entity, is the Applicant." *Id.* As set forth below, the Applicant meets the three-part test for use variance relief.

A. The Property is Affected by an Exceptional Situation or Condition

The D.C. Court of Appeals held in *Clerics of St. Viator v. D.C. Board of Zoning Adjustment,* 320 A. 2d. 291 (D.C. 1974) that the exceptional situation or condition standard goes to the "property", not just the "land"; and that "property generally includes the permanent structures existing on the land." *Id.* at 293-294. Indeed, the Court repeatedly has rejected the idea that the exceptional situation and undue hardship justifying a use variance must arise from the physical aspects of the land. *See National Black Child Development*, 483 A.2d at 690; *Monaco v. D.C. Board of Zoning Adjustment*, 407 A.2d 1091, 1097 (D.C. 1979). Instead, the BZA may "weigh more fully the equities in an individual case." *National Black Child Development*, 483 A.2d at 690.

In *Monaco*, the Court held that previously granted variance relief creates an "'extraordinary or exceptional situation or condition' so as to fulfill the statutory variance requirement." *Monaco,* 407 A.2d at 1094-96; *National Black Child Development*, 483 A.2d at 691, n.8. In addition, a property's immediate proximity to the Capitol may distinguish it from its neighbors and contribute to its uniqueness. *Monaco,* 407 A.2d at 1098. Further, the characterization of the use as a public service is significant to the determination of uniqueness. *Id.* at 1099, *National Black Child Development*, 483 A.2d at 690.

Here, there is no doubt that the Subject Property is affected by an exceptional situation. First, the Applicant has relied on the 1958 BZA Order granting its application for a use variance. (See Exhibit B). The Applicant has continued to occupy and use the Subject Property as its headquarters for over forty years. The scope and character of the use has not changed since that time and will not be changed by the proposed upgrades and additions to the building.

Further, the Subject Property is distinguished from others in the neighborhood by its proximity to the Capitol. It is located only two blocks from the Capitol, and across the street from the Hart Senate Office Building and the large Senate parking lot. The current location allows the Applicant to remain in contact with congressional staff members and to interact with other nonprofit organizations that advocate for similar goals. The Subject Property also acts as temporary headquarters for visiting constituents from across the nation who come to Washington, D.C. to advance the mission of the Quakers and the FCNL. Thus, it is uniquely suitable to the Applicant's headquarters.

Finally, the Subject Property is unique because the FCNL is a nonprofit public service entity that promotes the public welfare. The FCNL aids minorities by advancing civil liberties and the rights of Native Americans and aids the elderly and economically disadvantaged by advocating for equal access to adequate housing and healthcare. The FCNL also promotes the elimination of hunger and the promotion of world peace by lobbying for the peaceful prevention of armed conflict and the elimination of nuclear and biological weapons. For all of these reasons, the Applicant believes that it has satisfied the first prong of the variance relief standard.

B. Strict Application of the Zoning Regulations Would Result in an Undue Hardship

To satisfy the second element of the standard for a use variance, the Applicant must demonstrate "undue hardship." *See Palmer v. D.C. Board of Zoning Adjustment*, 287 A.2d 535,

541 (D.C. 1972). In *Monaco*, the District of Columbia Court of Appeals held that reliance on the actions of the zoning authorities may be taken into account in assessing an Applicant's undue hardship under variance law. *Monaco,* 407 A.2d at 1101.

As previously discussed, FCNL has used the existing building on the Subject Property for over 40 years in reliance on the BZA's previous approval of the use variance. FCNL is required to obtain a use variance for the addition of even one square foot of gross floor area to its existing building. As discussed in Section III. C., 73% of the proposed additional gross floor area is related to ADA and building code upgrades. If FCNL were prohibited from adding any additional gross floor area to its building it would be subject to an undue hardship, by keeping FCNL stuck in a mid-20th Century building that does not provide for efficient office space, does not provide the most up-to-date fire and life safety systems, and is not ADA compliant.

C. Relief Can Be Granted Without Substantial Detriment to the Public Good and Without Impairing the Intent, Purpose and Integrity of the Zone Plan

The requested variance can be granted without substantial detriment to the public and without substantially impairing the intent, purpose and integrity of the Zone Plan. Indeed, granting the requested variance relief advances the intent and goals of the Zone Plan for this area as defined in the Capitol Interest District ("CAP") Overlay of the Zoning Regulations, 11 DCMR 1200 et seq., as well as the goals of the Comprehensive Plan.

The CAP Overlay was established to accomplish the following goals:

1) Promote and protect the public health, safety and general welfare of the U.S. Capitol precinct and the adjacent area in a manner consistent with the goals of the Master Plan for Future Development of Capitol Grounds. (See 11 DCMR §1200.1);

2) Ensure that the land use controls in the Zoning Regulations for land adjacent to the Capitol reflects the importance of the area to the District of Columbia and the nation. (11 DCMR §1200.2);

3) To control height and bulk (11 DCMR §§ 1200.3, 1200.7); and

4) To permit only those uses that have a very limited external impact (11 DCMR §1200.6).

The proposed project fully satisfies the intent and letter of the CAP Overlay requirements and the Comprehensive Plan. As shown in Exhibit D, the proposed project has been carefully designed to remain compatible with the design and height of existing housing adjacent to and near the Subject Property. This conclusion was also reached by HPRB when it granted conceptual design approval for the proposed modifications and addition to the exterior of the building.

The proposed minor addition to the existing building will not change the scope or character of FCNL's operations on the Subject Property. Presently, FCNL has 24 full-time employees and on average five visitors come to FCNL's offices on a daily basis. No increase in the number of employees or visitors to FCNL's offices are expected as a result of the proposed upgrades to the building. Due to its close proximity to Union Station, most employees and visitors take Metro, cabs or buses to the Subject Property. This is expected to continue with the approval of this application. FCNL will provide five parking spaces on the Subject Property. Based on its 40 years of office use on the Subject Property, FCNL believes that the five parking spaces will be sufficient to satisfy the demand for parking generated by FCNL's continued office use of the Subject Property.

The Comprehensive Plan Generalized Land Use Map includes the Subject Property in the moderate density residential land use category. The height and density of the project is consistent with the moderate density designation. In addition, the continued use of the building by FCNL will not displace any existing residents.

V.

Community Outreach

The Applicant has made significant efforts to seek input on this application from the neighboring community. The Applicant hosted an "Open House" at its existing office building on September 9, 2002. All of the residential property owners within 200 feet of the Subject Property received invitations. A copy of the notice of the "Open House" is attached as Exhibit H. The only neighbors that attended this meeting were the owners of the two adjacent properties on C Street, 205 and 207 C Street, N.E. Mrs. Elizabeth Morris, the owner of the immediately adjacent property (205 C Street, N.E.), has written a letter in support of this application which is attached as Exhibit J.

On September 11, 2002, the Applicant will make a presentation to the Zoning Committee of Advisory Neighborhood Commission (ANC) 6A regarding this application. The Applicant is also scheduled to meet with the Zoning Committee of the Capitol Hill Restoration Society (CHRS) on September 12, 2002. During the HPRB review process, the Applicant made presentations to CHRS, and copied ANC 6A on all filings, related to the proposed restoration of the historic facades and partial demolition of the non-historic elements. Finally, the Applicant's representatives have had numerous conversations with legal counsel for The Court Condominium Association, a condominium building located at 216 3rd Street, N.E. The Applicant has not received any negative comments or feedback from any members of the Court Condominium Association regarding this application.

VI.

List of Witnesses Expected to Testify

The following witnesses are expected to testify at the public hearing on behalf of the Applicant:

1) Portia Wenze-Danley, Representative of the Applicant; and

2) Representative of the Architect.

VII.

Exhibits in Support of Application

Exhibit A: Portion of the Sanborn plat showing the subject property outlined in red.

Exhibit B: Board of Zoning Adjustment Order Nos. 5239 and 5240.

Exhibit C: Portion of the Zoning Map showing the Subject Property outlined in red.

Exhibit D: Elevations and plans of the proposed addition to the Building, including photographs.

Exhibit E: Photographs of the existing Building and the surrounding area.

Exhibit F: Outline of Testimony of Portia Wenze-Danley, Associate Executive Secretary for Administration; FCNL Education Fund.

Exhibit G: Outline of Testimony of Representative of Architect; Burt Hill Kosar Rittelmann Associates.

Exhibit H: Copy of notice of an Open House on September 9, 2002 sent to neighboring property owners to discuss the proposed application.

Exhibit I: Letter of the Zoning Administrator certifying that the Applicant has requested the appropriate zoning relief for the proposed project.

Exhibit J: Letter of support from Elizabeth Morris, owner and resident of adjacent property at 205 C Street, N.E.

Exhibit K: Map of the Neighborhood

VIII.
Conclusion

For all of the above reasons, the Applicant is entitled to the requested variance relief in this case.

Respectfully submitted,

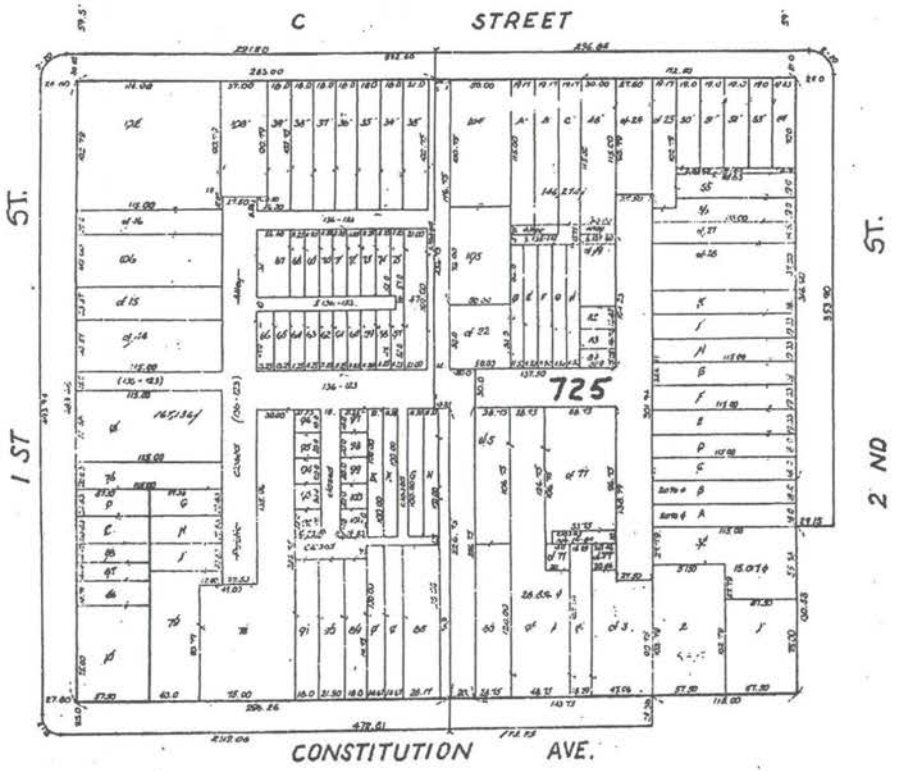
SHAW PITTMAN

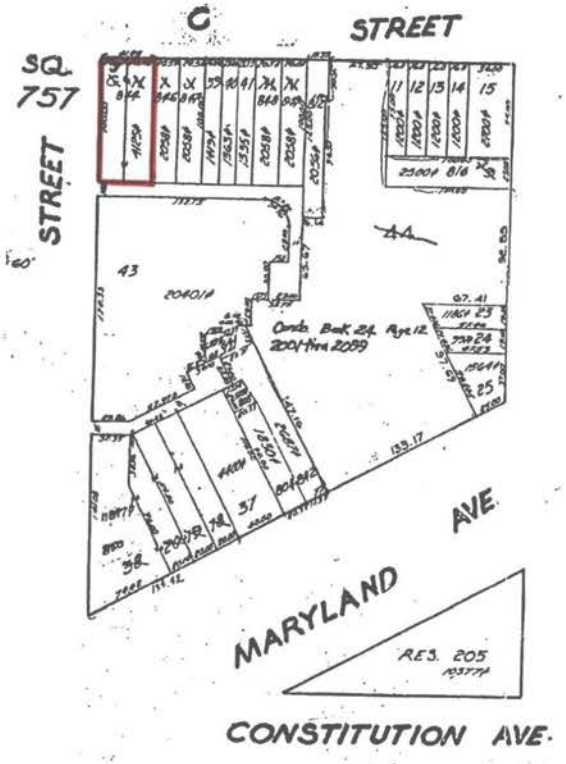
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Paul A. Tummonds, Jr.

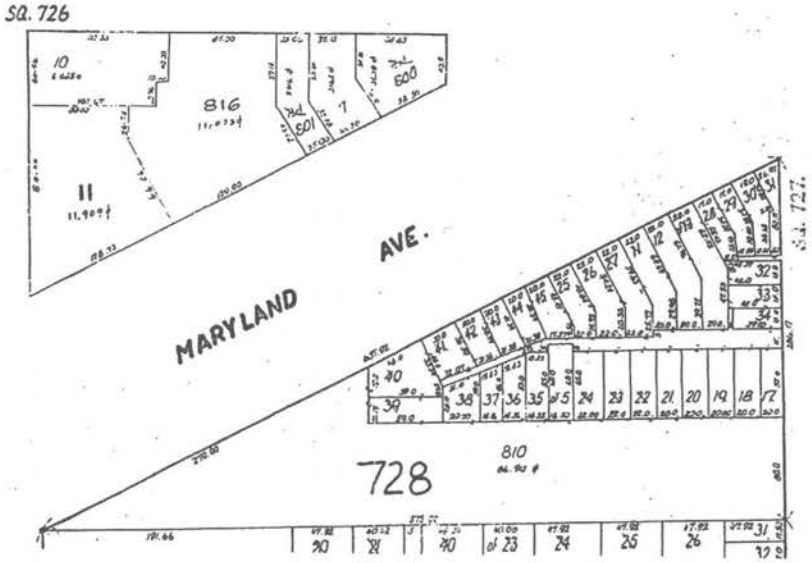
By: Ashleigh Horne
Ashleigh Horne

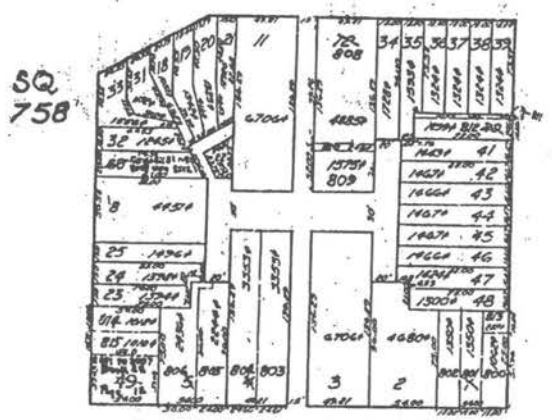
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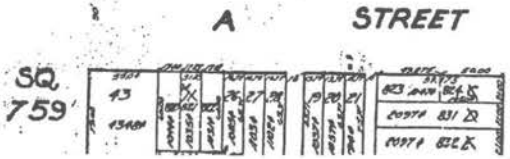
401


C STREET
1 ST.
2 ND ST.
725
CONSTITUTION AVE.


C STREET
SQ 757
1 STREET
43
44
MARYLAND AVE.
RES. 205
CONSTITUTION AVE.


SQ. 726
ST.
816
MARYLAND AVE.
SQ. 727
728
810


SQ 758
A STREET


SQ 759



(C O P Y)

Appeals #5239 and #5240 PUBLIC HEARING--Sept. 10, 1958

Mr. Scrivener:

I move that the following Order be entered:

ORDERED:

That the apps als of Sligo Parkway Builders, Inc. and Nick and Panagiota Pavlas for a variance from the use provisions of the R-5-B District to permit structural alterations and establishment of offices of non-profit organizations at 201-03 C Street, N.E., lots G and H, square 757, be granted for the following reasons:

(1) As the result of an inspection of the property by the Board, and from the evidence adduced at the hearing, the Board finds that appellant has proven a case of hardship withinthe meaning of the variance clause of the regulations as it is not economically feasible to devote the building to its zoned purpose as residential.

(2) The Board further finds fromtestimony of a real estate broker that the remodeling would contain seven apartments, making a cost per apartment of slightly less than $11,500 per unit. He testifies that the rental income to be produced from apartments of this type prohibits the expenditure of more than $8,000 per unit, including the cost of land.

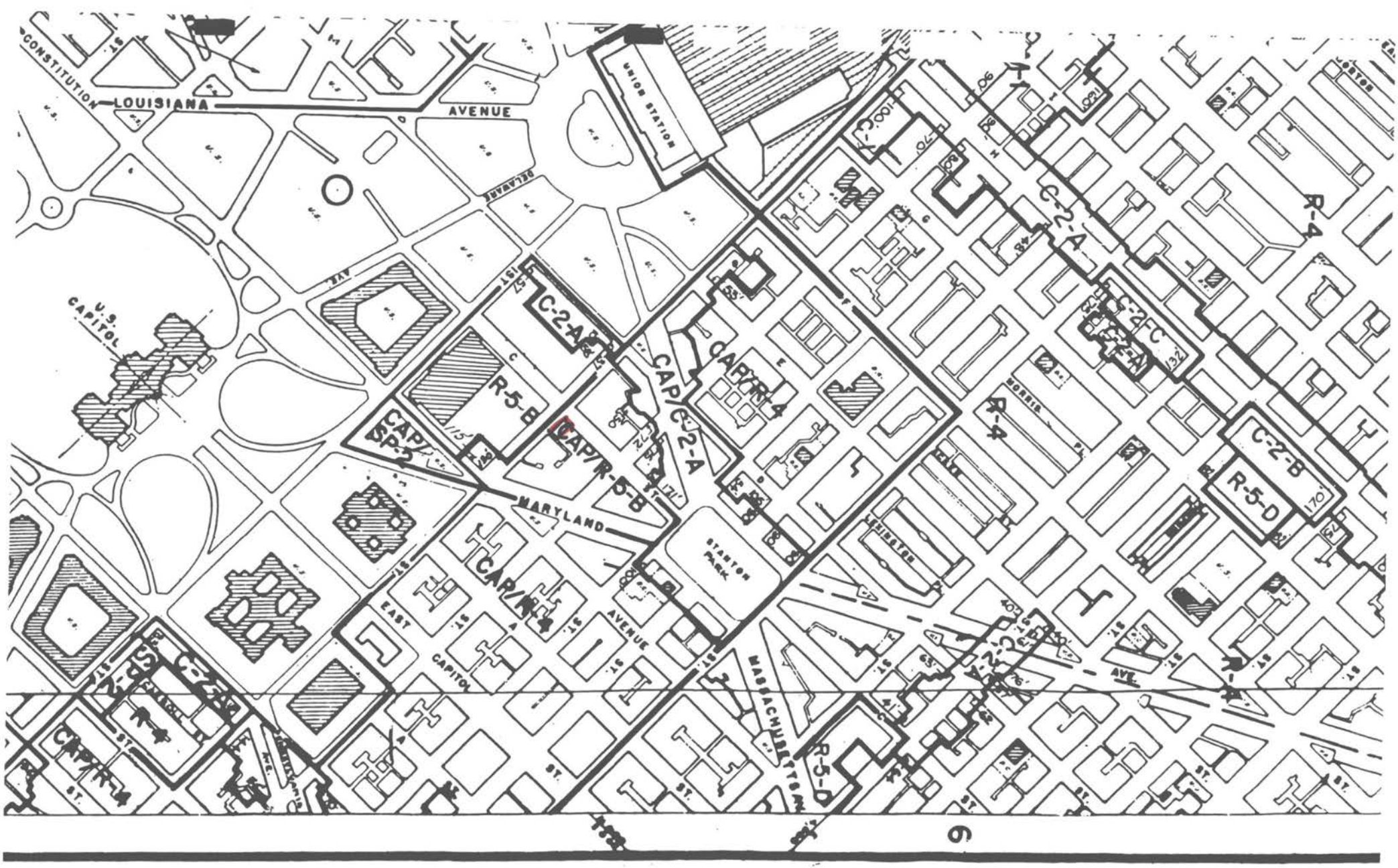
(3) The building in question was previously used as a nonconforming use which prohibits structural alterations.

(4) There was no objection to the granting of this appeal registered at the public hearing.

(5) The Board is of the opinion that the definite improvements of this "run-down" piece of property warrants the granting of a variance because of this exceptional situation and condition of the specific piece of property. We feel that the request 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.

Mr. McIntosh: I second the motion. Motion carried with Mr. Clouser being absent.

C


CONSTITUTION
LOUISIANA
AVENUE
UNION STATION
DELAWARE
BAY
1ST
U.S. CAPITOL
C-2-A
R-5-B
CAP/SP-2
CAP/R-5-B
CAP/C-2-A
CAP/R-4
MARYLAND
STANTON PARK
EAST CAPITOL
AVENUE
MASSACHUSETTS AVE.
R-4
C-2-A
C-2-C
C-2-B
R-5-D
NORTH CAPITOL
6





EXISTING BUILDING



LOCATION MAP (NOT TO SCALE)

CONCEPT SUBMISSION
for the
PROPOSED RENOVATION AND ADDITION TO

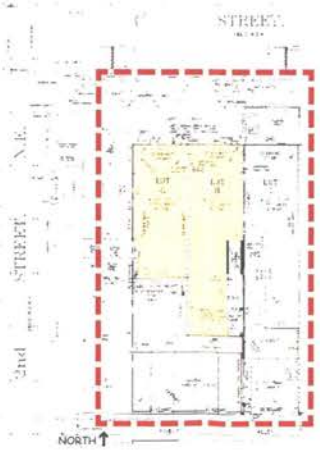
FRIENDS COMMITTEE ON NATIONAL LEGISLATION

245 SECOND STREET, NE
WASHINGTON DC

TABULATION OF DEVELOPMENT DATA			
Lot Area: 4,125 square feet			
	CAP/R-5-B Zoning Requirements	Existing Building	Proposed Upgrades
Minimum Lot Area	None prescribed	4,125	No change
Minimum Lot Width	None prescribed	41.25'	No change
Gross Floor Area/FAR	1.8 Allowed (7,425)	1st Floor: 2,298	1st Floor: 2,466 (+72 bay)
		2nd Floor: 2,360	2nd Floor: 2,466 (+72 bay)
		3rd Floor: 1,030	3rd Floor: 2,265 (+72 bay)
		Total: 1.38 (5,688)	Total: 1.74 (7,197 S.F.)
Building Height	40' and 3 stories	35' and 3 stories	~38' and 3 stories
Lot Occupancy	60% (2,475)	56% (2,298)	60% (2,466)



PROPOSED RENOVATION



EXISTING SITE PLAN (NOT TO SCALE)

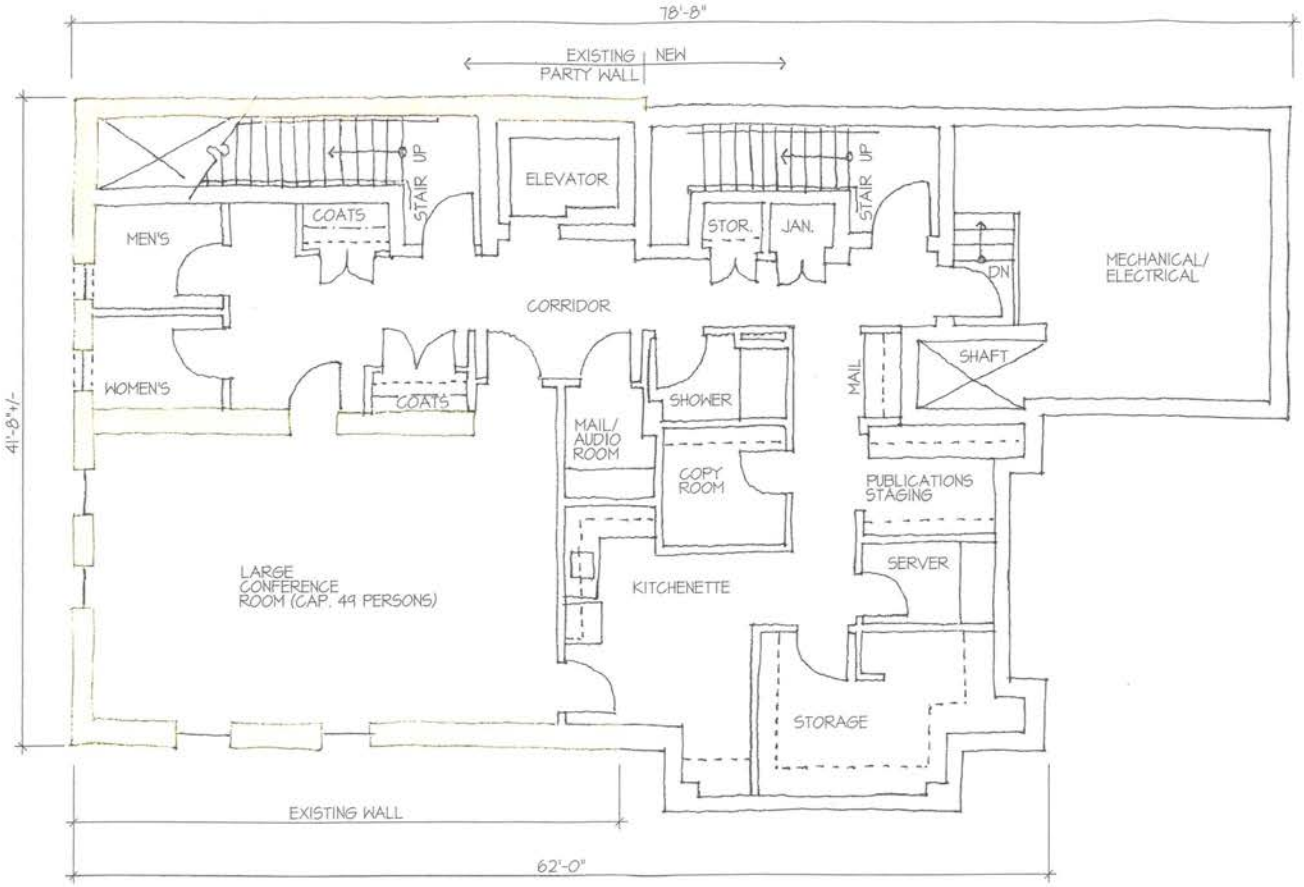
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SECOND FLOOR PLAN
THIRD FLOOR PLAN
NORTH ELEVATION
WEST ELEVATION
SOUTH ELEVATION
SECTION
SIGHT LINES
PERSPECTIVE VIEW
CONTEXT PHOTOGRAPHS
CONTEXT PHOTOGRAPHS
EXISTING CONDITIONS

Friends Committee on National Legislation
245 Second Street, NE - Washington, DC 20002-5795 - 202/547-6000 - Fax 202/547-6019

Burt Hill Kosar Rittelmann Associates
1056 Thomas Jefferson St., NW
Washington, DC 20007
202-333-2711

September 9, 2002



CELLAR FLOOR PLAN SK200

SCALE: 1/8"=1'-0"

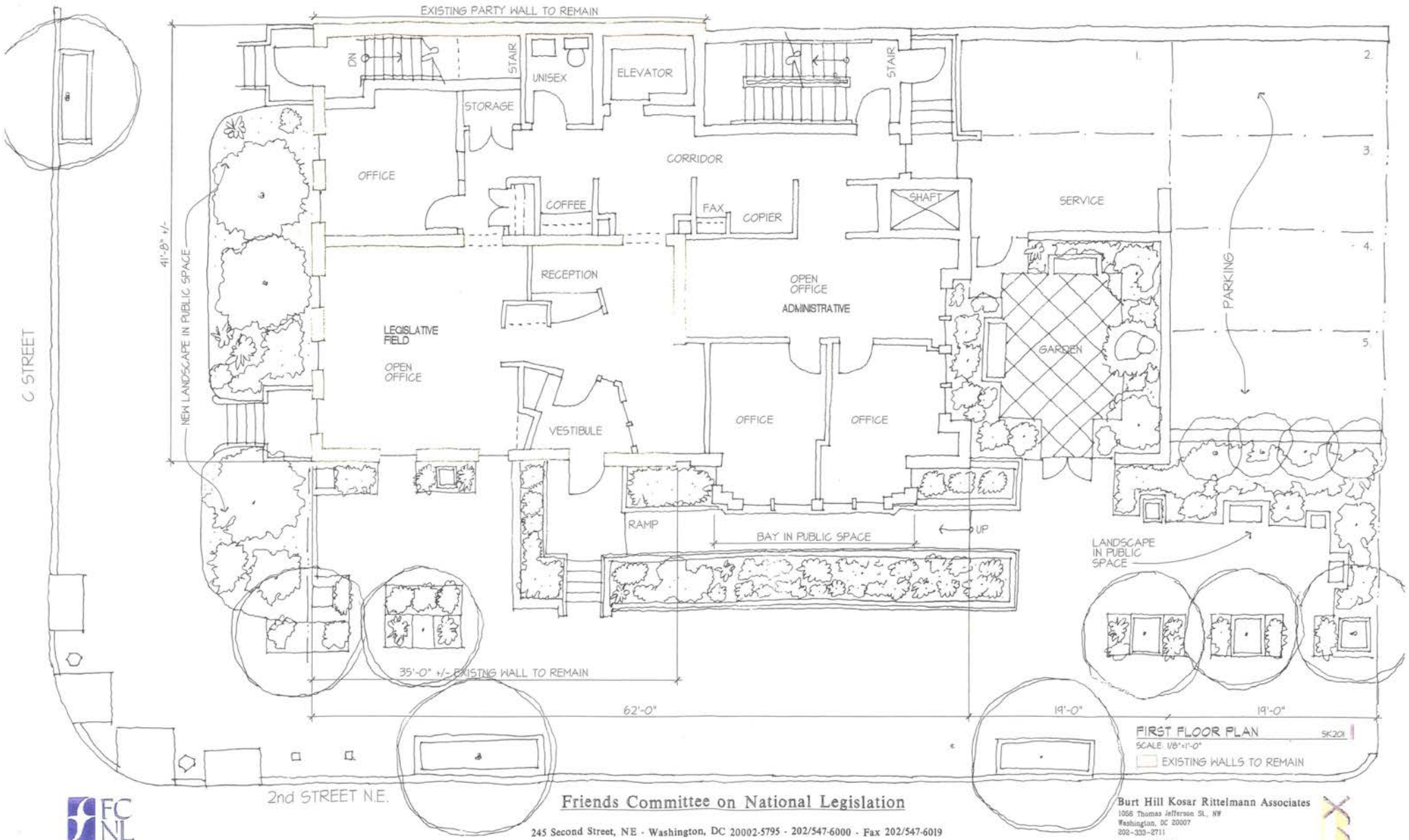
EXISTING WALLS TO REMAIN

Friends Committee on National Legislation

245 Second Street, NE - Washington, DC 20002-5795 - 202/547-6000 - Fax 202/547-6019

Burt Hill Kosar Rittelmann Associates
1056 Thomas Jefferson St., NW
Washington, DC 20007
202-333-2711

January 14, 2002



FIRST FLOOR PLAN SK201

SCALE: 1/8"=1'-0"

EXISTING WALLS TO REMAIN

FC NL

Friends Committee on National Legislation

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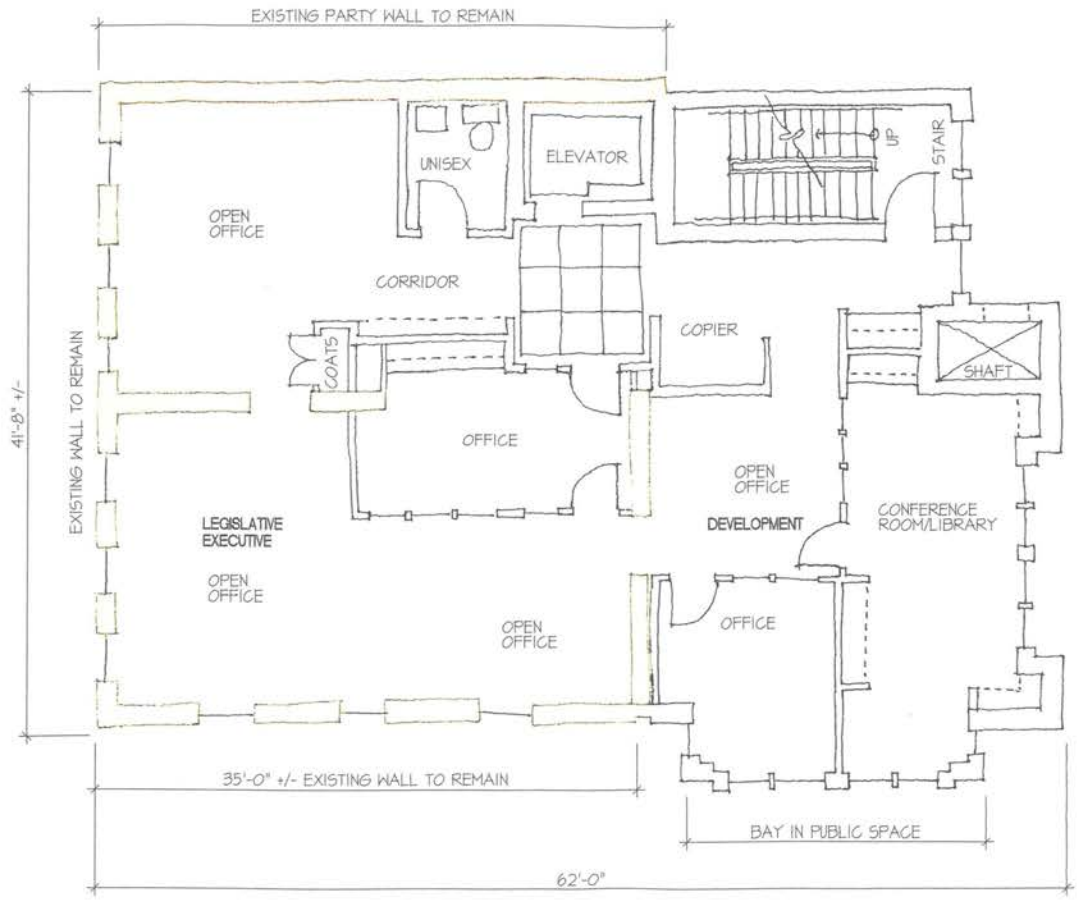
Burt Hill Kosar Rittelmann Associates

1056 Thomas Jefferson St., NW

Washington, DC 20007

202-333-2711

January 14, 2002



SECOND FLOOR PLAN SK202

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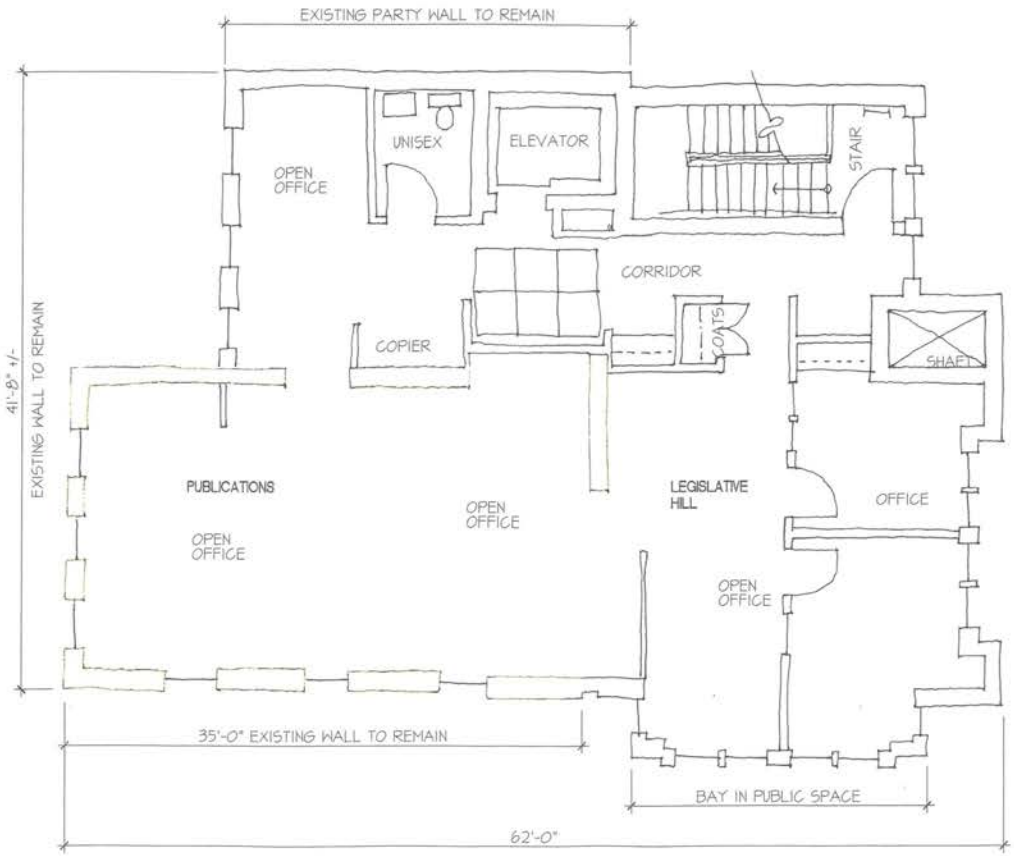
EXISTING WALLS TO REMAIN

Friends Committee on National Legislation

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Burt Hill Kosar Rittelmann Associates
1056 Thomas Jefferson St., NW
Washington, DC 20007
202-333-2711

January 14, 2002



THIRD FLOOR PLAN SK203

SCALE: 1/8"=1'-0"

EXISTING WALLS TO REMAIN

Friends Committee on National Legislation

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Washington, DC 20007
202-333-2711

January 14, 2002



NORTH ELEVATION SK204

SCALE: 1/8"=1'-0"

Friends Committee on National Legislation

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Burt Hill Kosar Rittelmann Associates
1056 Thomas Jefferson St., NW
Washington, DC 20007
202-333-2711

January 14, 2002



WEST ELEVATION SK205

SCALE: 1/8"=1'-0"

FC NL

Friends Committee on National Legislation

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Burt Hill Kosar Rittelmann Associates
1056 Thomas Jefferson St., NW
Washington, DC 20007
202-333-2711



SOUTH ELEVATION SK206

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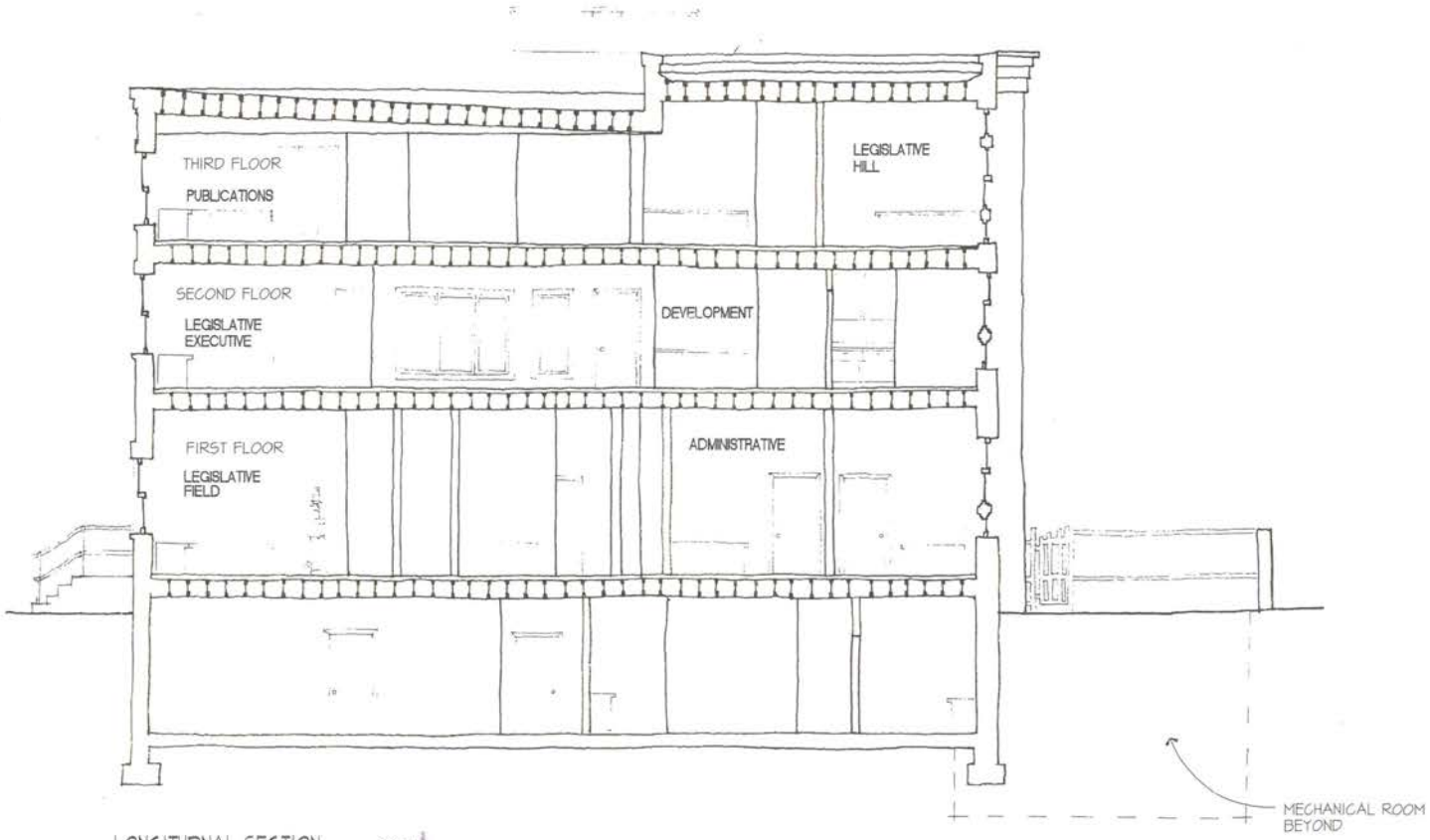
FC NL

Friends Committee on National Legislation

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Burt Hill Kosar Rittelmann Associates
1056 Thomas Jefferson St., NW
Washington, DC 20007
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January 14, 2002



LONGITUDNAL SECTION SK201

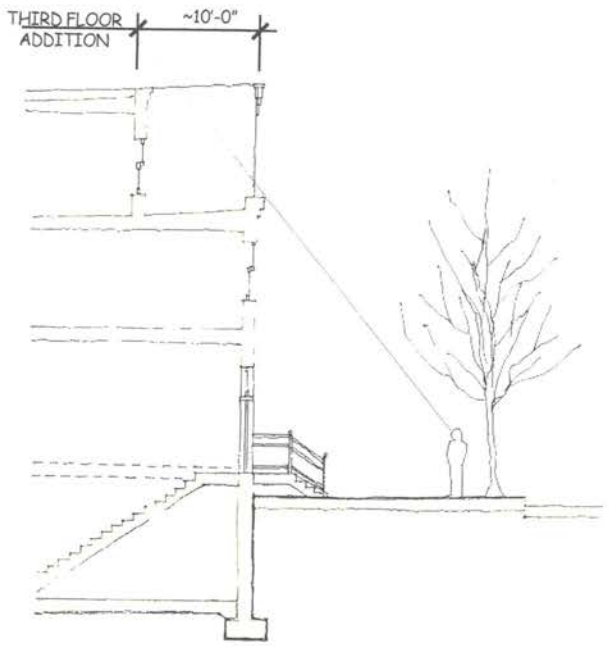
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Burt Hill Kosar Rittelmann Associates
1056 Thomas Jefferson St., NW
Washington, DC 20007
202-333-2711

January 14, 2002



SIGHT LINES TO THIRD FLOOR ADDITION



PROPOSED DESIGN AS SEEN FROM SENATE PARKING LOT

FCNL

Friends Committee on National Legislation

245 Second Street, NE - Washington, DC 20002-5795 - 202/547-6000 - Fax 202/547-6019

Burt Hill Kosar Rittelmann Associates
1056 Thomas Jefferson St., NW
Washington, DC 20007
202-333-2711

January 14, 2002



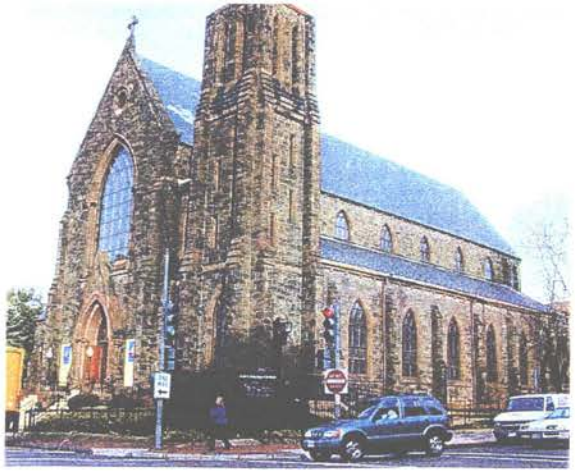
EXISTING FCNL NORTH FACADE



EXISTING FCNL WEST FACADE



EXISTING FCNL SOUTH FACADE



ST. JOSEPH'S CHURCH, NORTH SIDE OF C STREET



ADJACENT HOUSING, SOUTH SIDE OF C STREET



VIEW OF JUSTICE COURT, FCNL PARKING

CONTEXT PHOTOGRAPHS

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VIEW SOUTH DOWN SECOND STREET



HART SENATE OFFICE BUILDING,
WEST SIDE OF SECOND STREET



SENATE PARKING LOT



VIEW FROM SENATE PARKING LOT



VIEW WEST DOWN C STREET



OTHER CAPITOL HILL ARCHITECTURE

CONTEXT PHOTOGRAPHS

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EXISTING ROOF JOISTS ARE OVERSTRESSED. CAPACITY IS ESTIMATED AT 7 PSF (DOES NOT MEET BOCA).

BEARING WALL WAS REMOVED WITHOUT HEADER INSTALLATION. FLOOR FRAMING CAPACITY IS ESTIMATED AT 43 PSF (DOES NOT MEET BOCA).

SECOND FLOOR FRAMING IS INADEQUATE AND HAS INEFFECTIVE SECONDARY FRAMING.

FIRST FLOOR FACADE HAS SIGNIFICANT MODIFICATION.



THIRD FLOOR DOES NOT MEET BOCA CEILING HEIGHT REQUIREMENTS.

INTERIOR WALLS SHOW EVIDENCE OF WATER DAMAGE ON C STREET, 2ND STREET WALLS, AND JUSTICE COURT WALLS.

MASONRY FOUNDATION IS DETERIORATING AT 2ND STREET.

EXISTING CONDITIONS

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OUTLINE OF TESTIMONY OF
PORTIA WENZE-DANLEY
ASSOCIATE EXECUTIVE SECRETARY FOR ADMINISTRATION
FCNL EDUCATION FUND

I. INTRODUCTION

A. Portia Wenze-Danley; Representative of the Applicant

B. Description of the Friends Committee on National Legislation and FCNL Education Fund

II. NEED FOR THE PROPOSED PROJECT

A. Applicant's History with the Property

B. Current State of the Property

C. Goals for the Proposed Project

D. Use of the Property following the Proposed Project

III. COMMUNITY OUTREACH

A. Open House

B. Meeting with ANC 6A

C. Meeting with Capitol Hill Restoration Society

IV. CONCLUSION

The proposed project will upgrade the interior and restore the historic exterior façade of the building. The use of the building will not substantially change. The improved design of the building with be an aesthetic benefit to the adjacent properties and the Capitol Hill Neighborhood.



OUTLINE OF TESTIMONY OF
REPRESENTATIVE OF THE ARCHITECT
BURT HILL KOSAR RITTELMANN ASSOCIATES

I. INTRODUCTION

A. Representative of the Architect, Burt Hill Kosar Rittelmann Associates

B. Experience in the District of Columbia

II. PROPERTY AND SURROUNDING AREA

A. 245 2nd Street, NE

B. Relationship of the Property to the Immediate Neighborhood

C. Description of the Surrounding Capitol Hill Neighborhood

III. PROPOSED PROJECT

A. Current Deficiencies of Building

B. Upgrade of Interior

C. Restoration of Façade

D. Approval by HPRB

IV. SATISFACTION OF USE VARIANCE STANDARDS

A. Exceptional or Extraordinary Situation or Condition

B. Undue Hardship

C. Granting the Variance Will Not Cause Substantial Detriment to the Public Good or Substantially Impair the Intent, Purpose or Integrity of the Zone Plan

V. CONCLUSION

H

The Friends Committee on National Legislation
cordially invites you to an

Open House

On Monday, September 9, 2002
at
Seven o'clock in the evening
245 Second Street, NE
Washington, DC

Please join us as we present
the plans for the renovation
of our building

If you have any questions please contact
Paul Tummonds at 202-663-8873 or
Ashleigh Horne at 202-663-8428

Refreshments will be served

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Building and Land Regulation Administration
Office of the Zoning Administrator

May 30, 2002

By Hand Delivery

Paul Tummonds
Shaw Pitman, LLP
2300 N Street, N.W.
Washington, DC 20037

Re: 245 Second Street, N.E. – Friends Committee on National Legislation
Proposed Addition and Alteration to Existing Building

Dear Mr. Tummonds:

This letter addresses the issues that we discussed in our meeting on May 24, 2002, regarding the proposed addition to the building owned by the Friends Committee on National Legislation (the "applicant") located at 245 Second Street, N.E. This property is located in the CAP/R-5-B Zone District. Based on our discussion of the BZA's 1958 approval of a use variance allowing non-profit organizations to use the building, and a review of the proposed plans for the additions and alterations to the building, it is my determination that the proposed addition and alterations to the building fully satisfy all height, bulk and area requirements for the CAP/R-5-B District.

However, variance relief from 11 DCMR §2002.5 must be obtained from the Board of Zoning Adjustment to allow an addition to the non-profit office use in the CAP/R-5-B District. My decision is based on the fact that the proposed building will have a FAR of 1.8 or less, will have a lot occupancy of 60% or less and the height of the building will be less than 40 feet.

If you have any questions regarding my decision, please feel free to contact me.

Sincerely,

Toye Bello
Chief, Zoning Review Branch

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Elizabeth C Morris
205 C St NE
Washington DC 20002-5764

Board of Zoning Adjustment
441 4th Street, N.W.
Washington, DC 20001
Attn: Mr. Geoff Griffis, Chairman

August 28, 2002

Dear Members of the Board:

This letter to the DC Board of Zoning Adjustments is to express my support for DZA Application No.16916, for the renovation of the building of the Friends Committee on National Legislation at 245 Second Street, N.E.

I am a resident of the Capitol Hill neighborhood, and feel that this renovation is important and much-needed. It will benefit the area immediately surrounding the property and also the larger area.

Personally, as a proud possessor of a Certificate of Historical Renovation of my building from the U.S. Department of the Interior, I am pleased that the changes to 245 Second Street will be in keeping with the historic character of the neighborhood. I also foresee from the plans that the project as a whole is consistent with the ultimate goals of the Capitol Interest District.

I purchased and renovated my building at 205 C Street, N.E. in 1984, eighteen years ago. At that time I was living in a rented house a block away, but thirteen years ago I took up residence in my own building. My house's location puts me in a position to testify that the Friends Committee on Legislation is an ideal neighbor---our buildings share a common wall. They take good care of their building and grounds and in general operate with quiet efficiency. I trust the renovation will result in the improvement of my building as well as their own in the end.

It's clearly predictable that this project BZA No.16916 will not be any detriment to the public good or impair the intent, purpose or integrity of the zone plan.

I am fully supportive of this project and ask that the Board of Zoning Adjustment approve this application.

Sincerely,

Elizabeth Morris



KEY TO MAP OF NEIGHBORHOOD

Saint Joseph's Church ..... A

Subject Property ..... B

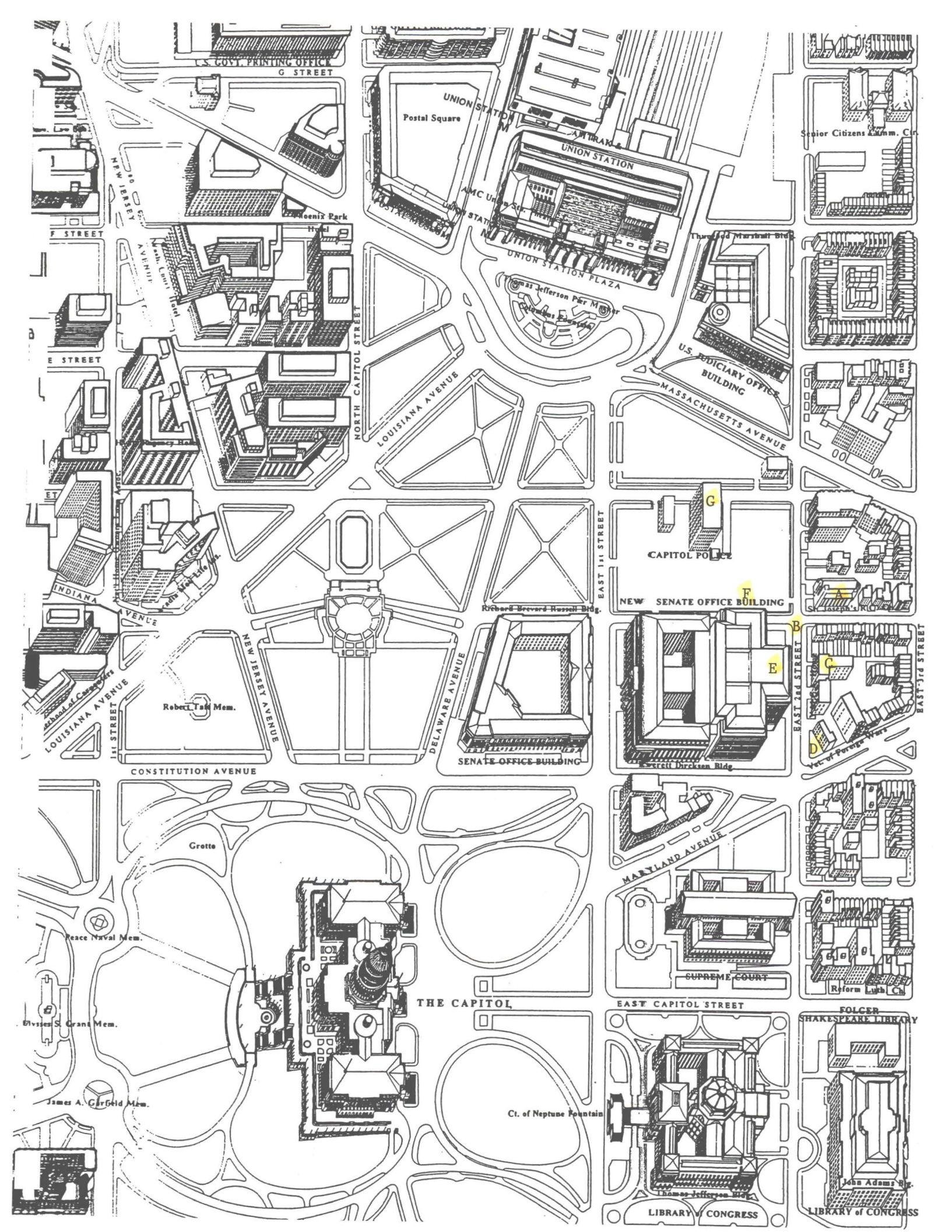
Young Women's Christian Home C

VFW Headquarters Building ..... D

Hart Senate Office Building ..... E

Senate Parking Lot ..... F

Capitol Police Building ..... G


U.S. GOVT. PRINTING OFFICE
G STREET
Postal Square
UNION STATION
AMTRAK
UNION STATION
UNION STATION PLAZA
Senior Citizens Comm. Ctr.
Thurgood Marshall Bldg.
Thomas Jefferson Per Meridian
Columbus Fountain
U.S. JUDICIARY OFFICE BUILDING
MASSACHUSETTS AVENUE
NORTH CAPITOL STREET
LOUISIANA AVENUE
NEW JERSEY AVENUE
Phoenix Park Hotel
CAPITOL POLICE
NEW SENATE OFFICE BUILDING
Richard Brevard Russell Bldg.
EAST 1st STREET
EAST 2nd STREET
EAST 3rd STREET
DELAWARE AVENUE
Robert Taft Mem.
SENATE OFFICE BUILDING
Everett Dirksen Bldg.
CONSTITUTION AVENUE
Grotte
MARYLAND AVENUE
Peace Naval Mem.
SUPREME COURT
Reform Luth. Ch.
THE CAPITOL
EAST CAPITOL STREET
FOLGER SHAKESPEARE LIBRARY
Ulysses S. Grant Mem.
James A. Garfield Mem.
Ct. of Neptune Fountain
Thomas Jefferson Bldg.
John Adams Bldg.
LIBRARY of CONGRESS
LIBRARY of CONGRESS
A
B
C
D
E
F
G