GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

2003 JAN 15 PM 3:40
D.C. OFFICE OF ZONING
RECEIVED

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman

DATE: January 21, 2003

SUBJECT: BZA Case 16968 Variance Request

APPLICATION

The application by Walker Memorial Baptist Church requests, pursuant to 11 DCMR 3103, two area variances, one from the provisions of Section 404.1 that requires 60% lot occupancy in the R-5-B District and the other from 403.2 that requires a rear yard setback of 15 feet. The subject premises are at 2020 13th Street, N.W., Square 236, Lots 62 and 48.

OFFICE OF PLANNING RECOMMENDATION-IN-BRIEF

The proposed new additions to the church will increase the churches' ability to meet the Americans with Disabilities Act (ADA), by making the facility more accessible to congregation members (especially seniors with health problems) and visitors. The addition will also improve the ability to maneuver caskets into and out of the church, when funerals are held at the church. Further, the church plans to implement its building program, which will consist of adding needed classrooms and offices. The Office of Planning recommends **Approval** of the requested variances.

BZA
Case No. 16968
Exhibit No. 24

SITE AND AREA DESCRIPTION

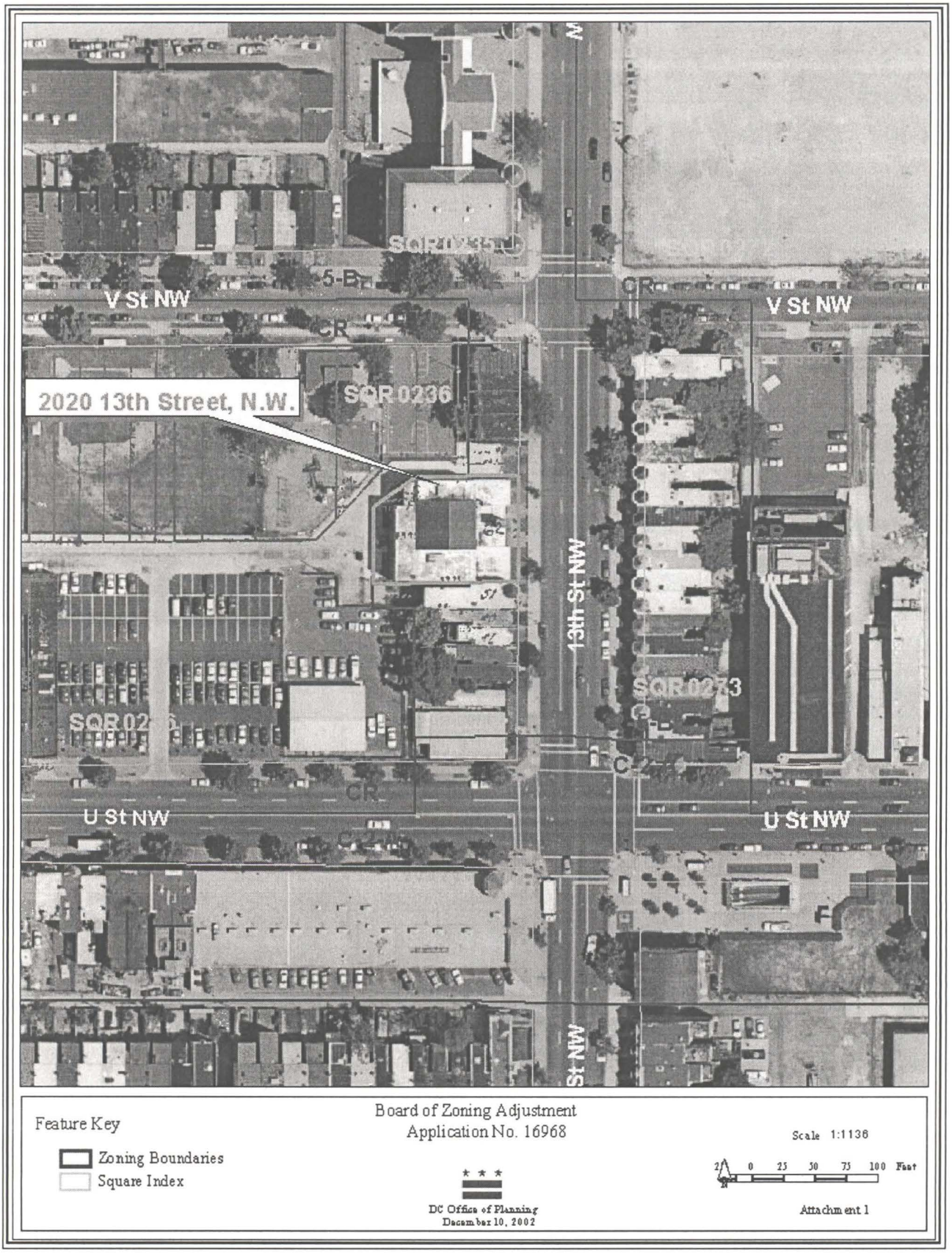
The subject premises are in the Cardozo/Shaw Neighborhood of Ward One. V Street generally bounds the site to the north, U Street is to the south, 13th Street is to the east and 14th Street is to the west. The subject Square (236) has recently become very active, with respect to development activities. Most of the U Street frontage is under development with the Ellington Plaza mixed use project, which will result in approximately 186 residential units and 15,000 square feet of ground floor retail. The majority of the 14th Street frontage of the Square is used for commercial purposes. The northeast corner of

Board of Zoning Adjustment
District of Columbia
CASE NO.16968
EXHIBIT NO.24

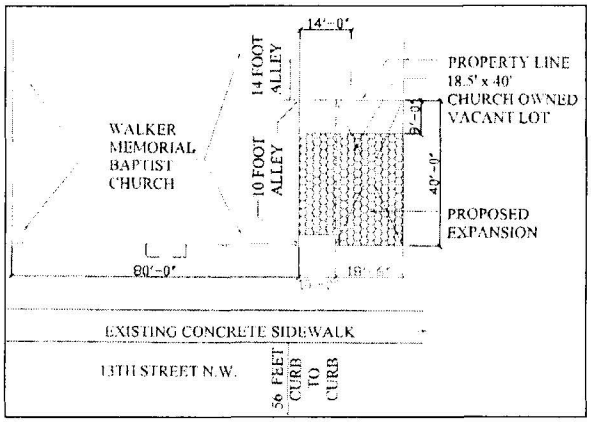
14th & V Street is being developed with the Metropolis mixed use project, which will contain 7,200 square feet of ground floor arts and retail space, and approximately 78 units of housing on the upper floors. Most of the V Street frontage is occupied with a public playground, including a tennis court. The subject church is at mid-block, on the west side of 13th Street, between U and V Streets. There are row houses on both the north and south sides of the church.

There is a ten-foot wide section of an east-west public alley, which dead ends at 13th Street, between the subject church and Lot 48. The alley expands to sixteen feet (16) as it approaches the rear of the church property and then it becomes Park Place, a thirty-foot wide public street, which extends to a fifteen-foot north-south alley at the rear of the properties that front on 14th Street. The alley extends west along the center of the Square, to the rear of the properties that front on 14th Street. The church recently requested the city to officially close a 40-foot portion of the subject alley. (S.O. 01-2919) The Office of Transportation Planning in the District Department of Transportation had no objections to the closing of the referenced dead end alley, provided that no request for curb a cut on 13th Street result from future development in conjunction with the alley closing. Lot 48, which is also owned by the church, and the 40-foot section of the closed alley, is the area of the property where the church plans to construct the new addition.

The subject property is within one half block of the U Street Cardozo Metro Station, which is on the south side of U Street, at 13th Street.


V St NW
V St NW
2020 13th Street, N.W.
SQR 0236
13th St NW
SQR 0273
U St NW
U St NW
Feature Key
Zoning Boundaries
Square Index
Board of Zoning Adjustment
Application No. 16968
DC Office of Planning
December 10, 2002
Scale 1:1136
0 25 50 75 100 Feet
Attachment 1

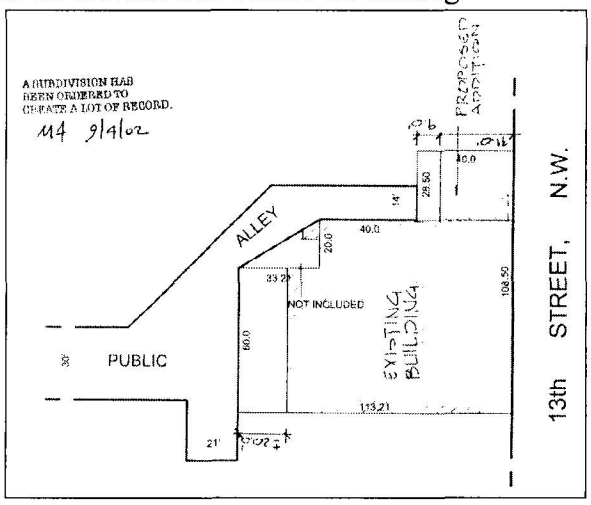
APPLICANT'S PROPOSAL



The applicant, (Walker Memorial Baptist Church) seeks to provide better access to the facility, for a broader segment of its congregation and visitors, by installing an elevator on the north side of the church and add critically needed classrooms and officers on an adjacent property (Lot 48) owned by the church, and a 40-foot section of the recently closed alley. The elevator would provide handicap access meeting the standards of the ADA. It would allow congregation members who are physically challenged, to gain easy access to the sanctuary and other areas of the church that are currently only accessible by stairs.

Additionally, the church experiences great difficulty getting caskets into and out of the main sanctuary when funerals are held at the church, because the first floor of the church is four feet and four inches higher than the sidewalk. Additionally, there is not enough land between the sidewalk and the church's main floor to build a ramp wide enough to accommodate a casket. Several years ago, the church built a ramp to enable persons with disabilities to negotiate the height difference between the sidewalk and the main sanctuary level. That ramp is too narrow for the passage of a casket.

It was determined that the most suitable location for the elevator was outside the existing structure in the alley on the north side of the church. That location would only cause minimal alterations to the façade of the church. It was also the least complicated for structural modifications to the existing church including alignment with an existing hallway. The church's long term plans anticipated construction on the adjacent Lot 48. Vesting the alley with the existing structure and Lot 48 will enable the church to erect a contiguous structure to meet its needs Those plans envisioned the construction of classrooms and office space at ground level, one level above ground, and a basement level. All of the floors of the new construction would match corresponding floors of the existing church.



ZONING ANALYSIS

The subject premises are in the R-5-B District. The R-5 districts are designed to permit a flexibility of design by permitting in a single district, except as provided in Sections 350 through 360, all types of urban residential development if they can conform to the height, density, and area requirements established for these districts under chapter 4 of this title. The R-5 districts shall also permit the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses and which are excluded from the more restrictive Residence districts.

The applicant is requesting two area variances, one from subsection 404.1 to reduce the rear yard requirements and the other from 403.2 for relief from the percentage of lot occupancy, to allow for the construction of an ADA compliant elevator to the church. The church is in the R-5-B District. The project is possible at this time because the area of the public alley that separates the main church structure from the church-owned Lot 48 was recently closed by the District and became church property. Lot 48 can now be directly connected to Lot 62, which contains the main building.

404 REAR YARD

404.1 A rear yard shall be provided for each structure located in a Residence district, the minimum depth of which shall be as set forth in the following table:

A rear yard in the R-5-B district is required to have a minimum depth of 15 feet.

The rear of the new addition will be only 9 feet from the rear property line, which will cause the new addition to project into the rear yard set back by 6 feet. The 6-foot rear yard intrusion will have little affect on light and air provisions for neighboring properties. Most of the U Street frontage (which is south of the subject rear yard) is under development with the much larger Ellington Plaza mix use project, which will result in approximately 186 residential units and 15,000 square feet of ground floor retail. There is a public tennis court and a playground to the north rear of the church property. The northeast corner of 14th & V Street is being developed with the Metropolis mix use project, which will contain 7,200 square feet of ground floor arts and retail, and approximately 78 units of housing on the upper floors.



Rear view of proposed addition area.

403 PERCENTAGE OF LOT OCCUPANCY (R)

403.2 No structure, including its accessory building, shall occupy its lot in excess of the percentage of lot occupancy set forth in the following table:



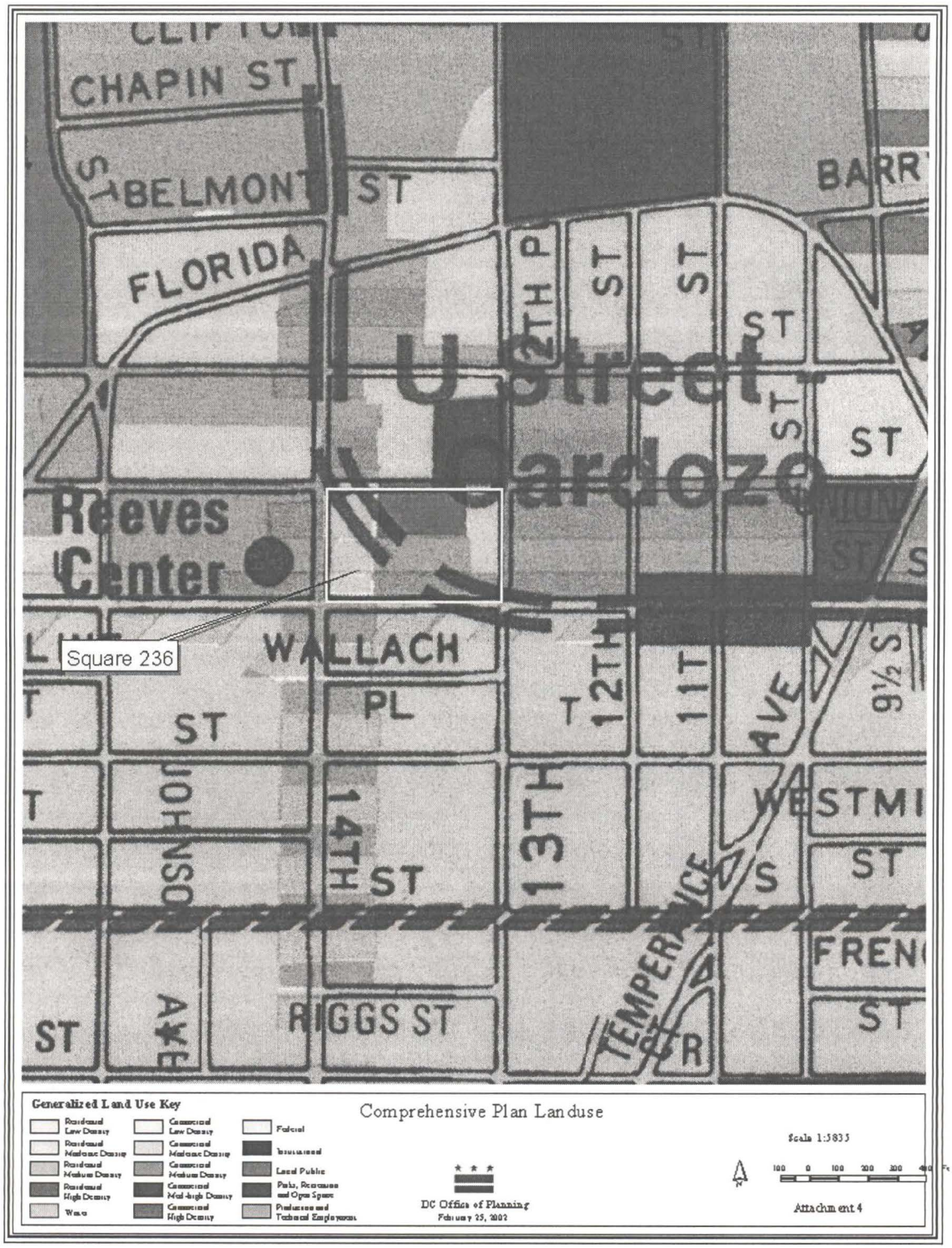
Front of Walker Memorial Baptist Church with drawing of new addition.

All structures in the R-5-B district shall occupy a maximum of 60% of the lot.

The existing structure occupies 7,217 square feet of an 8,393 square foot lot. Lot occupancy is currently at approximately 86%. The combination of Lot 48 and the 40-foot closed portion of the alley, added to Lot 62 are 9,533 square feet. The combined building will be 8,065 square feet, or approximately 85% of lot occupancy. The new addition to the subject church will actually reduce the percentage of lot occupancy.

RELATIONSHIP OF THE APPLICATION TO THE COMPREHENSIVE PLAN

The Comprehensive Plan Generalized Land Use Map depicts portions of Square 236 in four different land use categories. The entire frontage on 14th Street and most of the frontage on 13th Street (except the corner of 13th & U Streets) is in the ***Moderate Density Residential Land Use Category***. Most of the U Street frontage (except the corner of 14th



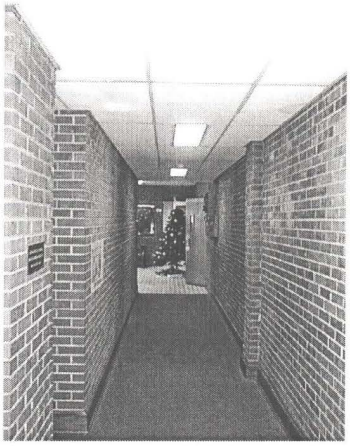
& U Streets) is in the ***Medium Density Commercial Category***. Most of the V Street frontage, except the corners of 13th and 14th and V Streets is in the ***Parks, Recreation and Open Space Category***, while the center-portion of the Square is in the ***Medium Density Residential Category.*** The subject church is in the Moderate Density Residential category.

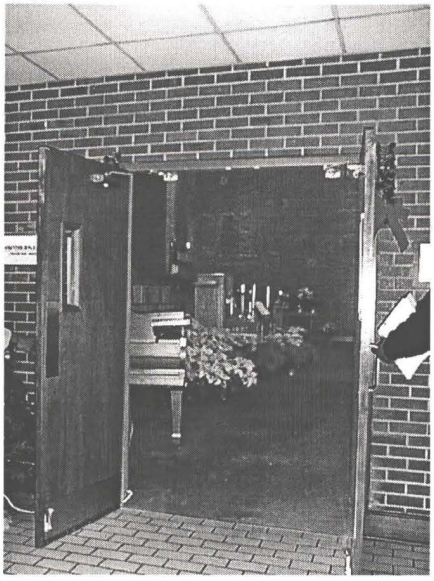
DOES THE APPLICATION MEET THE VARIANCE TEST

Is the property unique by reason of its exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation or condition?



Yes. The property is unique by reason of an exceptional situation. The physical constraints of the property eliminate most of the property from being considered as the location for the expansion project. There is a residential dwelling adjacent on the south side of the church, 13th Street is to the front and the south side of the rear of the subject property is being developed with the Ellington Plaza mix-use project. There is a public playground to the north side of the alley, which includes a tennis court. The subject church has been a quasi- public institution servicing the Shaw community since 1890. It provides a board range of services to the community and has hosted several citywide functions over the years. The church needed to expand in order to improve services to members and visitors. The question for the church was what area of the property was suitable for an addition? The church needed to build an elevator to accommodate congregation members who found it difficult to enter the facility because of the change in elevation from the street to the entrance to the church. Further, the church has historically experience problems maneuvering caskets into and out of the sanctuary when funerals are held, because of space constraints. Additionally, the church wishes to implement its needed





Above: General location of proposed elevator to accommodate caskets.

Middle: Existing hall leading to sanctuary.

Left: Sanctuary entrance.

building expansion program, which will consist of adding new classrooms and offices to the church.

By reason of the aforementioned unique or exceptional condition of the property, will the strict application of the Zoning Regulations result in peculiar and exceptional practical difficulties or exceptional and undue hardship upon the owner of the property?

Yes. The strict application of the Zoning Regulations would result in peculiar and exceptional practical difficulties upon the owner of the property. The existing church, (which is on Lot 62) already exceeds the lot occupancy requirement 60% for the R-5-B district. The existing structure occupies 7,217 square feet of an 8,393 square foot lot. Lot occupancy is currently at approximately 86%. The combination of Lot 48 and the 40-foot closed portion of the alley, added to Lot 62 are 9,533 square feet. The combined building will be 8,065 square feet, or approximately 85% of lot occupancy. The new addition to the subject church will actually reduce the percentage of lot occupancy.

Can the requested relief be granted without substantial detriment to the public good and without substantially impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map?

Yes. A church is a permitted use in the R-5-B District. The additions to the church are proposed in order that the church may provide better services to its congregation and visitors, by improving access to the facility for those with physical disabilities. The new addition will permit the church to solve one of its historic problems of providing better access to the sanitary for caskets when funerals are held at the church. The renovation/additions will also add needed classroom and office space in the church. The proposed variance will slightly reduce the percent of lot occupancy and will not diminish the intent, purpose or integrity of the Zoning Regulations and Map. The proposed new addition will not negatively affect the provisions of air and light to neighboring properties.

COMMUNITY COMMENTS

OP RECOMMENDATION

After having reviewed BZA Application 16968 requesting two area variances, one from the provisions of Section 404.1 that requires 60% lot occupancy in the R-5-B District and the other from 403.2 that requires a rear yard of 15 feet, the Office of Planning recommends that the **Board approve the application**. The Office of Planning finds that the applicant has met the burden of proof under §3103 of the Zoning Regulations, and concludes that approval of the application would not cause substantial detriment to the public good and would not substantially impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.