Burden of Proof for
1. Variance Section 2101.1 (Parking Spaces)

1. Variance from Section 2101.1 the schedule of requirements for parking spaces for a church in the R-3 Residential Zone. (Section 3103.2)

REQUIRED: 22 - 9'X 19 Spaces
PROVIDED: 0
VARIANCE: 22 (100%)

1. Physical Characteristics –

a. Due to the Lot configuration and limitations of the irregular shape, the required provision of over 3,762 SF (9x19x22) for parking with additional driveway makes the design impossible. The parking alone is more than the allowable lot occupancy requirement in this zone.

b. Development an underground parking in this area will prove to be too costly for the project intent and thereby create economic hardship for the owner.

2. Church activities are held on Sundays and weekday evenings and noise are very minimal during this periods and granting this application will not be substantial detrimental to the public in terms of traffic, noise, and lighting.

3. Street parking around the church, the adjacent school and around the park in front of the church will create additional parking during church hours. Granting this application will not be inconsistent with the general intent and purpose of the Zoning Regulations and Map as parking will be use as intended for this area.

BZA
Case No. 17008
Exhibit No. 14

Board of Zoning Adjustment
District of Columbia
CASE NO. 17008
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Burden of Proof for
2. Variance Section 403.2 (Lot Occupancy)

2. Variance from Section 403.2 the maximum allowed lot occupancy requirement for a church in the R-3 Residential Zone. (Section 3103.2)

REQUIRED: 2,538 SF
PROVIDED: 3,660.12 SF
VARIANCE: 1,121.82 SF (28.52%)

1. Physical Characteristics –

a. The development options of the property are limited by the fact that it is bounded by three streets causing the irregular shape. The diagonal nature of Illinois Avenue and the fact that this property is a corner lot are also developmental hardship for the property.

b. In order to meet its growing needs, alternate development options will cause a financial hardship to the owner of the property and will still be in violation of the zoning requirement.

2. The existing building serves the public good and the new building will be an improvement to the existing use. Importantly public issues such as traffic, light and noise are addressed in the new design. Granting this application will enhance appearance, value and will not cause any detriment to the public good.

3. The general intent of the Zoning Regulations and Map of the site will not be affected by granting this application since the existing use of the site will not change and the new building will be consistent with the appearance of neighboring uses.

Burden of Proof for
3. Variance Section 404.1 (Rear Yard Setback)

3. Variance from Section 404.1 the minimum rear yard setback requirement for a structure in the R-3 Residential Zone. (Section 3103.2)

REQUIRED: 20'
PROVIDED: 0'
VARIANCE: 0 (100%)

1. Physical Characteristics –

a. The new design was developed with consideration to zoning regulations to maximum space development for intent use. Lot limitation on Ingraham Street side does not allow expansion toward the front thus the reason for the rear yard expansion. We also believed that the height of the building over what is designed might not meet height restrictions as well as neighborhood housing façade and characteristics.

b. The economic cost of developing the building upward (more the three story building) will create economical hardship for the owner due to membership at present time.

2. Granting this application will not be substantial detrimental to the public in terms of traffic, noise, lighting because the design of the new church has less window area at the rear wall. Lighting at the rear was limited and will not affect the next-door neighbor. Furthermore, the use of color and acoustical material on exterior walls will also contribute to any noise reduction if any.

3. Granting this application will not be inconsistent with the general intent and purpose of the Zoning Regulations and Map because the existing use of the site will not change and the new building will conform to the general facade appearance of neighborhood.

Burden of Proof for
4. Variance Section 406.1 (Open Court Width)

4. Variance from Section 406.1 the minimum width of open court requirement for a church in the R-3 Residential Zone. (Section 3103.2)

REQUIRED: 10'
PROVIDED: 3.5' and 7.5'
VARIANCE: 6.5'(65%) and 2.5'(25%)

1. Physical Characteristics –

Lot configuration is the main constraint that limits the design on the rear, sides and the front of the new structure. Effort was made to create open court on all sides so that we can be consistent with neighborhood but the requirement to accommodate the assemble make this difficult. We believe the lot location with a big park adjacent to the building will be an asset if we are limited for open court around the building.

2. Granting this application will not be substantial detrimental to the public in terms of traffic, noise, lighting as church activities are limited to Sundays and weekday evenings and will be held in the open space provided in the basement of the new building.

3. The general intent of the Zoning Regulations and Map of the site will not be affected by granting this application since the existing use of the site will not change and the new building will be consistent with the appearance of neighboring uses. Also, provision for access, exit and ramps were accommodated to meet all code and zone requirements.

Jide Oyawale, CSI, CCCA
Agent for Owner