GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

★ ★ ★

Office of the Director

MEMORANDUM

DATE: December 2, 2003

TO: District of Columbia Board of Zoning Adjustment

FROM: Andrew Altman, Director

SUBJECT: Board of Zoning Adjustment Case No. 17093
Paramount Baptist Church

Summary

The applicant seeks a variance from the floor area ratio (FAR) provisions of §402.4 to allow 0.918 FAR and from the parking space provisions of §2101.1 for a total of 65 parking spaces. The applicant seeks to expand the existing church building to a total of 52,544 square feet and add parking to a total of 65 spaces. OP has determined that a side yard variance from 15 feet to 10 feet is also required. The Office of Planning **recommends approval** of these variances based on the findings below.

Site and Area Description

The subject property is located at 3924 4th Street S.E. The existing church occupies 16,236 square feet on lot 68. The subject property and the surrounding neighborhood are zoned R-5-A. The immediate area consists mainly of three story multi-family buildings and some smaller residential houses.

Project Description

The applicant proposes an expansion of the existing church to a total of 52,544 square feet including three stories and a basement. The main parking lot would contain 43 spaces and be located on Condon Terrace. 16 spaces would be located on lot 72 on the west side of 4th Street and the final six spaces would be located in or adjacent to the building. OP notes that the two spaces in the building are accessed through the public space in front of the building. OP recommends that these spaces be turned to access from the public alley.

BZA
Case No. 17093
Exhibit No. 26

Board of Zoning Adjustment
District of Columbia
CASE NO. 17093
EXHIBIT NO. 26

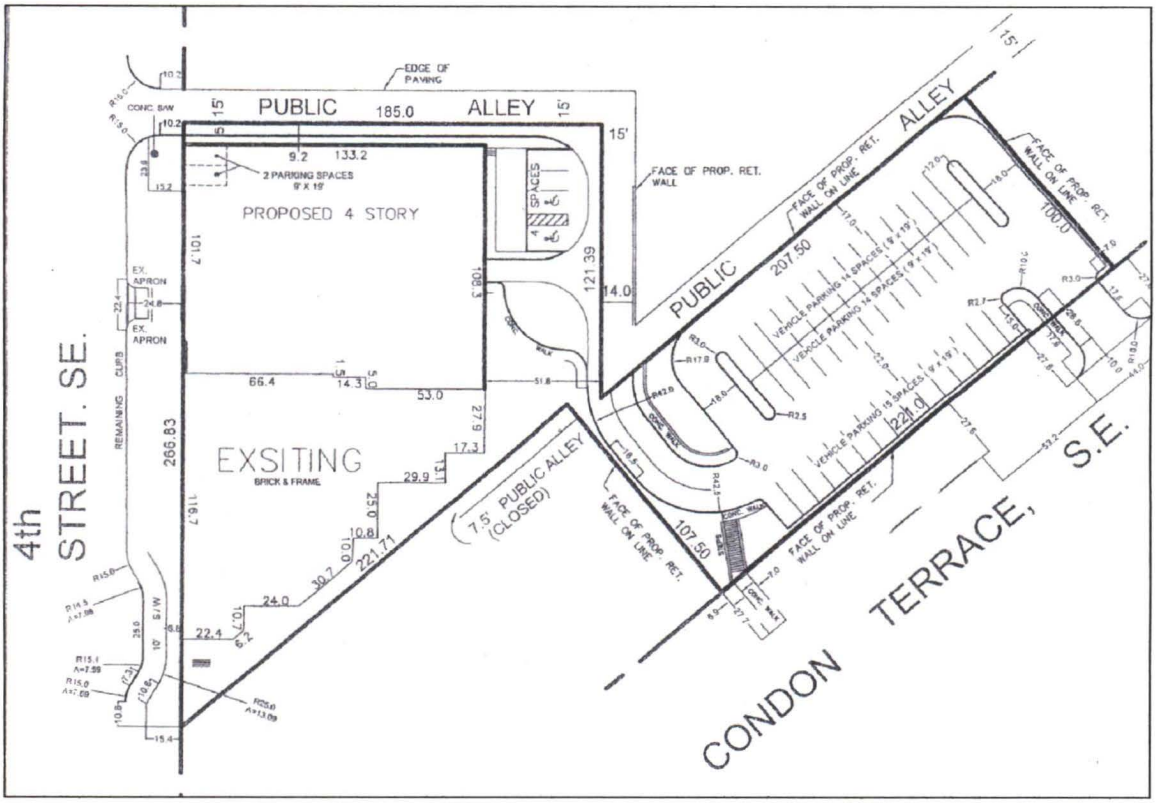


Figure 1: Project Layout

Zoning Requirements

The applicant is requesting a variance from the FAR and parking requirements to allow an addition to the existing church. OP has determined that a side yard variance will also be required.

Section	Item	Required/Allowed	Existing	Requested	Variance
400.6	Height	60 ft	46 ft	60 ft	N/A
402.4	FAR	0.9	0.28	0.918	0.018
403.2	Lot Occupancy	60%	18%	42%	N/A
404.1	Rear Yard	20 ft	52 ft	52 ft	N/A
405.9	Side Yard	3"/foot of Height (15 ft)	10 ft	10 ft	5 ft
2101.1	Parking	1 per 10 seats (90)	>20	65	25



Figure 2: Aerial View

Analysis

The provisions of §3103.2 require the applicant to show a unique physical aspect or other extraordinary or exceptional situation or condition of a specific piece of property that creates an undue hardship or practical difficulty. In addition, there should be no harm to the public or to the zone plan.

Extraordinary or Exceptional Situation

In accordance with §3103.2, the Board has the authority to grant a variance if, by reason of exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of the property.

The exceptional situation for this property is the extreme topography of the site. The land drops significantly from the south and east to the north and west. This situation makes designing this lot to meet the requirements of the zoning ordinance difficult or impossible.

Practical Difficulty

The practical difficulty created as a result of the site's topography is the problem of designing the lot on the slope. Both the parking and the FAR are affected by this difficulty. The rise in elevation requires a longer drive from the building to the parking lot that might otherwise be space for additional parking spaces. The basement of the church would not normally be counted toward FAR, however the drop in elevation exposes the southern portion. This necessitates counting part of the basement in the FAR and thus requires a variance for a building that would otherwise meet this requirement.

Substantial Detriment

In addition to the above tests, §3103.2 further requires that the relief requested will not be a substantial detriment to the public good or substantially impair the intent, purpose and integrity of the zone plan. The site currently contains the existing church. An addition to a use that is currently allowed as a matter-of-right should not negatively affect the public good.

The Generalized Land Use Map calls for moderate density residential in this area. The proposed church is a matter-of-right use in a residential zone and therefore in keeping with the intended use of this area and the surrounding uses. OP concludes that the expansion will not impair the intent of the Zoning Regulations or the integrity of the Plan.

ANC Recommendation

ANC 8E has submitted a resolution expressing support of the application. OP is aware of no opposition to this project from the neighborhood.

Recommendation

The Office of Planning concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3103.2 of the Zoning Regulations, for the granting of a variance to permit an addition to the existing church at 3924 4th Street S.E. The request can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the Zoning Regulations.

The Office of Planning **recommends approval** of the variance by the Board of Zoning Adjustment to allow the addition to the property at 3924th Street S.E. and further recommends that the two indoor parking spaces be accessed from the public alley.

AA/tp