

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14614 of Johns Hopkins University, Sub-section 8207.2 and Paragraph 8207.11 (11 DCMR 3108.1 and 3107.2) of the Zoning Regulations, for a special exception to allow an addition to an existing structure, and a variance from the provisions of Paragraphs 4101.43 and 7105.12 (11 DCMR 507.1 and 2001.3) to a nonconforming structure in an SP-1 District at premises 1740 Massachusetts Avenue, N.W., (Square 158, Lot 82).

HEARING DATE: June 24, 1987

DECISION DATE: June 24, 1987 (Bench Decision)

FINDINGS OF FACT:

1. The site is located on the south side of Massachusetts Avenue between 17th and 18th Streets, N.W., at premises 1740 Massachusetts Avenue, N.W. The site is in the SP-1 District.

2. The Johns Hopkins University School of Advanced International Studies ("SAIS") is an institution of higher learning engaged exclusively in graduate educational programs in the field of international studies. SAIS was established in 1943.

3. The SAIS campus in Washington, D.C. consists of two buildings located approximately one block apart at 1619 Massachusetts Avenue, N.W. and 1740 Massachusetts Avenue, N.W. The current application concerns only the building located at 1740 Massachusetts Avenue that is referred to on the Campus Plan as Site A. In BZA Order No. 14387, dated June 11, 1986, the Board approved the SAIS Campus Plan for these two sites.

4. The University building at the subject site is an eight story plus basement and penthouse structure that was constructed of reinforced concrete and stone for SAIS in 1962. The structure was built prior to the adoption of the current SP zoning regulations and contains approximately 57,580 square feet of gross floor area. The site has a lot area of 21,677 square feet.

5. Pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, the applicant is seeking a special exception and area variance to allow the construction of a one-story addition to the rear of the existing

structure. The addition will enclose an existing outdoor patio space that is adjacent to the cafeteria.

6. The site is located within the Massachusetts Avenue Historic District. At its meeting of February 18, 1987 the Historic Preservation Review Board voted to adopt its' staff report thereby granting conceptual design approval to the proposed addition and delegating final approval to the staff, pending final zoning approval.

7. In accordance with the Campus Plan, the subject site is used for a variety of functions, including classroom and seminar space, offices, the library, and auditorium, a reception area, and a small cafeteria. The SAIS cafeteria serves both buildings of the SAIS Campus as an informal meeting area as well as a dining area. The existing cafeteria space can seat 78 people at most in an uncomfortable and overcrowded atmosphere.

8. The proposed addition is needed to enlarge the cafeteria on a permanent basis by enclosing the existing terrace area with a one-story brick structure with a sloping glass roof. With the addition, the cafeteria will be able to seat between 125 and 130 people.

9. The University currently has approximately 330 full-time equivalent students and approximately 106 faculty and staff members. The addition will not result in an increase in student enrollment. Generally, no more than 50 percent of the University's 300 full time students are present at either of the two campus buildings at any one time.

10. The addition is to be located at the rear of the subject site and will be buffered from the abutting property. An enclosed cafeteria is not a noise intensive use. The proposed addition is likely to lessen the noise level, since the existing area is currently used for outside dining three to four months a year. Enclosing the area will eliminate any noise currently emitted from the open patio area.

11. The proposed addition will have no impact on the traffic patterns or on the volume of traffic on surrounding streets.

12. The subject building is a nonconforming structure in terms of floor area ratio (FAR). The building was constructed to an FAR of 2.65 in 1962, and was rendered nonconforming as a result of the Zoning Commission's division of the SP District into the SP-1 and SP-2 Districts in 1979. The subject site was designated as an SP-1 District with a permissible nonresidential FAR of 2.5.

13. The proposed addition will increase the extent of the nonconformity in terms of FAR by increasing the FAR from 2.656 to 2.70. The proposed addition will add 1,033 square feet, for an increase in FAR of 0.047.

14. The applicant purchased the subject site and built the existing building in 1962, at which time SAIS had an enrollment of about 100 students. The existing cafeteria was, therefore, originally intended to accommodate less than one-third of the school's current enrollment of 330 full-time equivalent students.

15. There is no reasonable alternative space within the existing structure where the cafeteria addition can be located. The existing cafeteria is too small to serve its intended purpose except during three or four months of the year when the outdoor terrace area can be used.

16. The Office of Planning, by memorandum dated June 18, 1987, and by testimony at the public hearing recommended approval of this application. The Board, for good cause shown, accepted the written report from the Office of Planning at the public hearing on June 24, 1987. The Office of Planning noted that the structure was made nonconforming by a 1979 rezoning, that the proposed addition will increase the FAR by only 0.047, that the proposed addition will not be visible from Massachusetts Avenue, that it will not increase the number of students, that it is consistent with the SAIS campus plan and that no additional noise or traffic will be generated. The Board concurs with the findings and recommendation of the Office of Planning.

17. The record of the Johns Hopkins University Campus Plan Application No. 14387, is incorporated into the record of the subject application.

18. By letter dated June 16, 1987, Advisory Neighborhood Commission 2B reported that it voted to support the application.

19. There were several letters submitted in support of the application.

20. There was no opposition to the subject application at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception and a variance. With reference to the special exception, the applicant must prove that it has complied with the requirements of Sub-sections 8207.2 and

Paragraph 4101.43 of the Zoning Regulations. The Board concludes that the applicant has met its burden of proof. The Board concludes, based on the evidence and testimony, that the proposed addition is not likely to become objectionable because of noise, traffic, number of students, or other objectionable conditions. The Board further concludes that the proposed addition will not have an adverse effect on the use of neighboring property.

As to the variance relief, the applicant must prove that it has complied with the requirements of Paragraph 8207.11 and 7105.12 of the Zoning Regulations. The Board concludes that the requested variance is an area variance, the granting of which requires a showing of an exceptional or extraordinary situation or condition inherent in the property itself, that a strict application of the Zoning Regulations will result in a practical difficulty, and that the relief requested can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan. The Board concludes that the subject site is affected by an extraordinary or exceptional situation or condition because of the existing nonconforming structure on the site. The strict application of the Zoning Regulations would preclude the applicant from creating an adequate dining and meeting area and would create a practical difficulty.

The Board concludes that the application, as conditioned below, can be granted without substantial detriment to the public good and without impairing the intent, purpose and integrity of the zone plan. Accordingly, it is ORDERED that the application for a special exception and variance is hereby GRANTED SUBJECT to the following CONDITIONS:

- a. The number of full-time equivalent students shall not exceed 400. The number of students present at any one time shall not exceed 250.
- b. The number of full-time professors shall not exceed 22. The number of part-time professors shall not exceed 80. The number of administrative personnel shall not exceed 55 at any one time.

VOTE: 5-0 (Lindsley Williams, Paula L. Jewell, William F. McIntosh, Charles R. Norris and Carrie L. Thornhill to grant).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


EDWARD L. CURRY
Executive Director

SEP 9 1987

FINAL DATE OF ORDER: _____

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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