

# Government of the District of Columbia

## ZONING COMMISSION



Zoning Commission Order No. 80

Case No, 71-4

January 25, 1974

Pursuant to notice, a public hearing of the Zoning Commission was held on May 9, 1973, to consider an application by the Baptist Home of the District of Columbia for an amendment of the Zoning Map, as follows:

Change from R-1-B to R-5-A, lot 803,  
in Square 1599, located at 3700  
Nebraska Avenue, N.W.

### FINDINGS OF FACT

1. The site of the proposed amendment to the Zoning Map is located on the northwest side of Nebraska Avenue, N.W. near Ward Circle,

2. The area of the site of the proposed amendment is approximately 130,000 feet (Baist Atlas No. 3, page 29).

3. The site is presently zoned R-1-B (one-family detached dwelling - minimum lot width of 50 square feet; minimum lot area of 5,000 square feet, percentage of lot occupancy 40, 3 stories and 40 feet height limit). The proposed amendment would zone the site R-5-A (low density apartment house - percentage of lot occupancy 40, floor area ratio of 0, 9, 3 stories and 40 feet height limit),

4. The subject site is located on one of the highest points in the District of Columbia.. The area immediately adjacent to the site on the northwest is zoned R-1-B (description of zone set out above) developed with two story detached single family dwellings, located along Sedgwick, Springdale and Tindall Streets, N.W. Immediately southeast of the site is a physical education building of American University fronting on Massachusetts Avenue. The remainder of the American University campus, zoned R-5-A (description of zone set out above) , is located directly across Massachusetts Avenue. Immediately northeast of the site is a Baptist Church, which shares a common parking Lot with the Baptist Borne. Across Nebraska Avenue from the site, to the southeast, is the Naval Communications Installation, located on federal property, not subject to zoning.

5. The applicant has filed the proposed amendment in order to construct a five story addition to the existing Baptist Home for the Aged (TR. 11, 15-16).

6. The Zoning Advisory Council recommended that this application for zone change be granted due to need for supervised care for elderly persons in the District of Columbia, the area along Nebraska Avenue is non-residential in character, with the Naval Communications Installation, TV Station WRC and the National Presbyterian Center in the vicinity, there is existing R-5-A zoning in the area of the site, particularly that portion of the American University Campus west of Massachusetts Avenue (TR. 8).

7. On November 12, 1969, having held a public hearing,, the Board of Zoning Adjustment dismissed without prejudice, Application No. 10140, filed by the applicant, herein for approval of an addition to the Baptist Home.

8. On January 4, 1971, after having held a public hearing, the Board, pursuant to Section 3101.49, of the Zoning Regulations, conditionally granted Appeal No. 10480, filed by the applicant herein, for an addition to the

existing Baptist Home. The said Order was subject to the following conditions, set out below in their entirety:

- a. The height of the proposed additions shall be 40 feet measured at the center of the 44th Street frontage,
- b. There shall be no balconies directly facing 44th Street.
- c. The solarium shall be located with maximum setback from 44th Street ,
- d. Floor Plan -- Scheme 9 with above limitations.
- e. The screening shall be as shown on the plans submitted at the public hearing of August 12, 1970.

9. Due to the fact that the subject site is located at one of the highest topographic points of the District of Columbia, there must be some type of control over construction so as to prevent detrimental impact on surrounding areas, The proposed zone change affords total inability to ensure the compatibility of construction with areas surrounding the site.

10. The integrity of the adjacent community of single family detached dwellings on moderate **size Lots** should be preserved by not allowing a physically dominant structure to influence residential character of the neighborhood.

11. There was considerable and vigorous citizen opposition from the adjacent residential neighborhood, evinced in the public hearing, to this application for zone change.

#### CONCLUSIONS OF LAW

1. The height, bulk and density of the proposed R-5-A zone district is inappropriate for the subject site because of the inability to control construction in order to preserve the integrity of the adjacent single family detached residential neighborhood.

2. The proposed zone district is inappropriate, taking the present character of the district into consideration, because it would neither encourage stability of the district or the land values therein.

3. The proposed zone district is not in harmony with the intent, purpose and integrity of the comprehensive zone plan as embodied in the Zoning Regulations and Map,

#### DECISION

1. The only issue before the Zoning Commission in this case is whether the proposed R-5-A zone district is appropriate for application to the subject site.

2. The Zoning Commission is aware of the necessity of providing facilities to meet the needs of the elderly residents of the District of Columbia. The denial of this application for change of zone should in no way be interpreted as a decision against the proposed expansion of the Baptist Home. The Zoning Commission believes that it is possible to provide adequate housing for the elderly at the Baptist Home site, while at the same time preserving the character of the adjacent residential area.

3, The Zoning Commission urges that this applicant seek the expansion of the Home pursuant to Section 3101.49 of the Zoning Regulations before the Board of Zoning Adjustment, Such a proceeding would provide for the needed expansion of the Home, while making sure that such expansion will not be detrimental to the adjacent residential area,

4. The Commission believes that controlled development of this site can promote the health, safety and general welfare of all residents of this City,

5. In consideration of its findings and conclusions herein, the Commission orders DENIAL of the following proposed amendment of the Zoning Map:

Change from R-1-B to R-5-A, lot 809,  
in Square 1599, located at 3700  
Nebraska Avenue, N.W.

WALTER E. WASHINGTON

JOHN A. NEVIUS

STERLING TUCKER

GEORGE M. WHITE

RICHARD L. STANTON

ATTEST:

Martin Klauber  
Martin Klauber  
Executive Secretary