

BEFORE THE BOARD OF ZONING ADJUSTMENT, D.C.

PUBLIC HEARING - MARCH 18, 1970

APPEAL No. 10333 PRESIDENT AND DIRECTORS OF GEORGETOWN
UNIVERSITY, APPELLANTS,

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, APPELLEE.

ON MOTION DULY MADE, SECONDED AND UNANIMOUSLY CARRIED,
THE FOLLOWING ORDER OF THE BOARD WAS ENTERED AT THE MEETING OF
MARCH 24, 1970.

EFFECTIVE DATE OF ORDER - APRIL 14, 1970

ORDERED:

THAT THE APPEAL FOR PERMISSION TO OCCUPY 1,100 SQUARE
FEET OF SP OFFICE SPACE FOR NON-PROFIT ORGANIZATION (NATIONAL
MEDICAL ASSOCIATION, INC.) AT 1717 MASSACHUSETTS AVENUE, NW.,
LOT 850, SQUARE 157, BE GRANTED.

FINDINGS OF FACT:

1. THE SUBJECT PROPERTY IS LOCATED IN AN SP DISTRICT.
2. NATIONAL MEDICAL ASSOCIATION, INC., IS A NON-PROFIT ORGANIZATION WITHIN THE MEANING OF THE ZONING REGULATIONS AS EVIDENCED BY ITS CERTIFICATE OF INCORPORATION, A LETTER FROM THE UNITED STATES TREASURY DEPARTMENT, CHIEF EXEMPT ORGANIZATIONS BRANCH, DATED MARCH 3, 1954, GRANTING FEDERAL INCOME TAX EXEMPTION.
3. THE RECORD ALSO CONTAINS A STATEMENT OF THE USES TO BE MADE OF THE SPACE WHICH INDICATES THAT THERE WILL BE SIX FULL TIME EMPLOYEES, THAT THE WORKING HOURS WILL BE 9:00 TO 5:00, MONDAY THROUGH FRIDAY, AND THAT THE OFFICE WILL CONDUCT GENERAL ADMINISTRATIVE DUTIES IN CONNECTION WITH THE NON-PROFIT ORGANIZATION.
4. IN BZA APPEALS No. 6870 AND 6871, THE BOARD GRANTED PERMISSION FOR THE ERECTION OF THE SUBJECT SP OFFICE BUILDING.
5. THE NECESSARY OFF-STREET PARKING SPACES TO SERVE THE OFFICE SPACE HAVE BEEN PROVIDED.

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6. THE SUBJECT ORGANIZATION PROPOSES TO OCCUPY APPROXIMATELY 1,100 SQUARE FEET OF SPACE ON THE FIRST FLOOR OF THE SUBJECT BUILDING.

7. THE BOARD INCORPORATES THE EXHIBITS SUBMITTED IN BZA APPEALS No. 8656, 8708, 8813, AND 8848 TO INDICATE THAT THE BUILDING MEETS THE ZONING REQUIREMENTS INCLUDING THE PARKING.

8. THE PROPOSED OFFICE USE WILL BE LOCATED IN ITS ENTIRETY WITHIN THE SUBJECT BUILDING AND NO PART THEREOF WILL BE VISIBLE FROM THE NEIGHBORING PROPERTY.

9. THE DEPARTMENT OF HIGHWAYS AND TRAFFIC HAS NO OBJECTION TO THE GRANTING OF THIS APPEAL.

10. NO OBJECTION TO THE GRANTING OF THIS APPEAL WAS REGISTERED AT THE PUBLIC HEARING.

11. AT THE PUBLIC HEARING APPLICANT REQUESTED THAT THE NATIONAL MEDICAL ASSOCIATION NOT BE LIMITED AS TO THE AMOUNT OF FLOOR AREA OR LOCATION IT OCCUPIES WITHIN THE BUILDING AND THAT THE ZONING ADMINISTRATOR BE PERMITTED TO MAKE DETERMINATIONS THAT NON-PROFIT ORGANIZATIONS QUALIFY UNDER THE REGULATIONS FOR USE WITHIN THE BUILDING AS WAS SIMILARLY GRANTED IN BZA APPEAL No. 10143.

OPINION:

THE BOARD IS OF THE OPINION THAT PERMISSION FOR THE PROPOSED OCCUPANCY IS IN KEEPING WITH THE INTENT AND PURPOSE OF SECTION 41 OF THE ZONING REGULATIONS.

WE ARE FURTHER OF THE OPINION THAT THE PROPOSED USE WILL BE IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING REGULATIONS AND MAPS AND WILL NOT TEND TO ADVERSELY AFFECT THE USE OF NEIGHBORING PROPERTY.

ANY NON-PROFIT ORGANIZATION MAY OCCUPY THE BUILDING WITHOUT THE APPROVAL OF THIS BOARD PROVIDED THAT THE ZONING ADMINISTRATOR DETERMINES THAT THEY QUALIFY AS A NON-PROFIT ORGANIZATION UNDER THE DEFINITION CONTAINED IN THE ZONING REGULATIONS BY THE SUBMISSION OF THE FOLLOWING EVIDENCE TO HIM:

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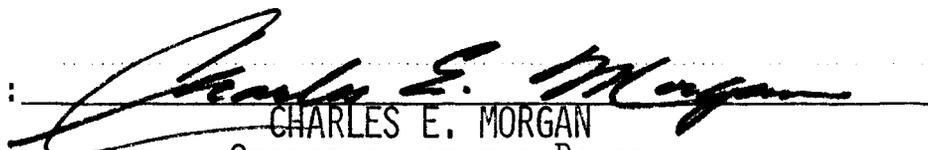
OPINION CONT'D:

- (A) ARTICLES OF INCORPORATION OF CHARTER.
- (B) BY-LAWS OR STATEMENT OF PURPOSES OF THE ORGANIZATION.
- (C) LETTER OF EXEMPTION FROM THE INTERNAL REVENUE SERVICE SHOWING THAT THE ORGANIZATION QUALIFIES UNDER SECTION 501(c)3 OF THE INTERNAL REVENUE CODE OR THE EQUIVALENT SECTION FOR EXEMPTION UNDER THE DISTRICT OF COLUMBIA CODE.
- (D) THESE CONDITIONS SHALL NOT APPLY TO LOCAL OR FEDERAL GOVERNMENTAL AGENCIES AND AUTHORITIES IN THAT THEY ARE PROHIBITED FROM THE USE OF SP OFFICE SPACE.

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

ATTESTED:

By:


CHARLES E. MORGAN
SECRETARY OF THE BOARD

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.