

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- December 13, 1972

Application No. 11210 Salvation Army, a Georgia Corporation, appellant.

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 January 23, 1973.

EFFECTIVE DATE OF ORDER -- March 13, 1973

ORDERED:

That the application for permission to establish a rooming house and boarding house consisting of 292 rooms and variance from parking regulations of Section 7202 for 58 off-street parking spaces at 1001 14th Street, N. W., Lot 812, Square 248, be GRANTED.

FINDINGS OF FACT:

1. The subject property is located in a C-4 District which is defined by the Zoning Regulations as a central business district.

2. The subject property is the former site of the Manager-Hamilton Hotel located at the northeast corner of 14th and K Streets, N. W., built in 1923 as a hotel property and used for that purpose until September 1972/when purchased by the Salvation Army.

3. A hotel use, rooming house and boarding house are permitted as a matter of right in the C-4 District and therefore no use variance is sought by applicant except as to parking requirements.

4. The subject property occupies approximately 100% of the lot and it is not possible to provide accessory off-street parking on site or beneath such as established by the testimony of the architect for the applicant, Mr. Edmund Dreyfuss.

5. Thus pursuant to Section 7202 of the D. C. Zoning Regulations applicant seeks a variance from the parking requirements of Section 7202 for fifty-eight (58) off-street parking spaces, to permit or change from a hotel use to a rooming and boarding house.

6. Testimony proffered by Major D. Holz, Divisional Secretary of the Salvation Army, included a full description of the proposed operation. He explained that the operation of an Evangeline residence cannot operate as a hotel. Specifically the law requires under a hotel operation a daily rate, daily maid service, and a maintenance of a highly transient type of operation, including front desk clerk to

maintain the daily hotel registering of guest. In contrast, Evangelines provides a weekly charge, which includes three meals per day, one change of linen per week, one cleaning of the room per week, library, recreational areas for both educational and entertainment activities and exercise area, laundry room where the girls can operate themselves.

7. Testimony was given that the Evangeline residence is a downtown residence with many of the young ladies using public transportation or walking to work. The subject site is served by good public transportation and is within one block of the future McPherson subway stop.

8. The file contains a series of letters in support of the application herein, and many adjacent property owners that this office has contacted have readily supported this application.

9. The subject request is not a "use variance" but a variance from the requirements of off-street parking. The Evangeline residence is a boarding house as determined by the Zoning Administrator for the District of Columbia, James Fahey, on or about July 13, 1972.

10. Testimony of Edmund W. Dreyfuss, architect for applicant, related to the board that it would not be an economically feasible venture to convert this building which was designed, constructed and used as a hotel to a modern office use. The cost of reconstruction of the electrical, mechanical, plumbing and elevators, and re-arrangement of partitions would be very substantial. And in the end it would not produce a return sufficient to justify the conversion from a hotel or residential use to commercial office use.

11. No opposition to this application was voiced at the public hearing nor were any letters in opposition submitted to the file for the Board's consideration.

OPINION:

We believe, in view of the proposed use as an Evangeline residence requiring a rooming and boarding house license to replace a hotel use and to require 58 off-street parking spaces would impose an extraordinary and exceptional situation or condition upon the property owner that would result in peculiar and exceptional practical difficulties and undue hardship upon the property owner. The evidence is clear that it is not physically possible to provide the off-street parking space upon the subject site, as existing improvements occupy approximately 100% of the lot. Further it would be a substantial financial hardship upon the Salvation Army to provide such parking spaces elsewhere.

The Board also finds that imposing the requirements of the Zoning Regulations results in peculiar and exceptional practical difficulties to the property owner because hotels in all districts except C-4 District require greater parking than is required for rooming and boarding houses and this creates a peculiar condition in the present case when the existing hotel has consistently generated a greater demand for off-street parking than the existing Evangeline residence which is located in the same square.

The Board further finds that the granting of the relief requested will relieve applicant's hardship. Such relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map. The Board finds that ample off-street parking presently exists and will continue to exist to meet all needs of the Evangeline residence. The absence of the off-street parking will encourage greater use of public transportation and less use of the private automobile in the downtown area where traffic congestion and pollution now require direct attention and action by the public officials. Neighboring property owners support the granting of this application which further supports the opinion of this Board in granting the relief requested.

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

ATTESTED:

By:



GEORGE A. GROGAN
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 DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.