

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12602 of Ambassador Baptist Church, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for a special exception under Paragraph 3101.41 to permit the construction of a day care center and church and for variances from the play area (Sub-paragraph 3101.41d) and parking (Sub-section 7202.1) requirements in the R-3 District at the premises 1412 Minnesota Avenue, S.E., (Square 5605, Lot 163).

HEARING DATE: March 15, 1978  
DECISION DATE: April 5, 1978

FINDINGS OF FACT:

1. The subject property is located at 1412 Minnesota Avenue S.E., just north of the intersection with Good Hope Road, and is in an R-3 District.
2. The subject lot is improved with a two story and basement detached building which is presently being used as a church for less than twenty-five persons and a child development center for seven~~teen~~ children ages two to six years, Certificate of Occupancy No. B-70909, dated July 17, 1970 and Permit No. 30024-DC, dated February 8, 1977 respectively.
3. The applicant proposes to demolish the existing building and replace it with a new facility which will be used for a church seating two hundred and ninety two persons and a child development center for forty or fifty children.
4. The new day care center will operate during the same hours as the existing center, 6:00 a.m. to 7:00 p.m. and will have approximately five staff members. The age group of the day care center students will remain at two to six years.

5. It is anticipated that most of the children attending the day center will be from the immediate neighborhood, as are the church parishoners.

6. When the new church is constructed it will occupy slightly less than sixty per cent of the subject lot.

7. The outside rear and side play areas plus the play area provided by the auditorium in the new church will provide over 4,000 square feet of play area.

8. There will be no room on the subject lot for the four required parking spaces after the church has been constructed, but the applicant has made arrangements with the Robert G. Mason Funeral Home which is directly across the street from the proposed church to use, without charge, between twenty-five to thirty parking spaces for the use of the church-day care facility.

9. There was testimony by a neighbor that the facility as currently used was not objectionable to adjoining and nearby property because of noise, traffic, number of students or other objectionable conditions.

10. Advisory Neighborhood Commission - 6C recommended approval of the application on the grounds that the subject facility served the needs of the neighborhood.

11. A neighboring property owner objected to the application on the grounds that the proposed church with its increased facilities would disturb the peace and quiet of the neighborhood. The Board finds that a church is a use allowed as a matter of right, and that the jurisdiction of the Board is limited to the day care center and the two requested variances.

CONCLUSIONS OF LAW:

Based on the record the Board concludes that the proposed day care center is not likely to become objectionable to adjoining and nearby property because of noise, traffic, or other objectionable conditions. The proposed use is reasonably necessary or convenient to the neighborhood.

The Board concludes that the requested variance are area variances, the granting of which requires the showing of a practical difficulty. The Board concludes that the size of the lot to be used for church purposes does create a difficulty in attempting to locate the church, the required play area and the required parking on the site. The Board concludes that there is sufficient area both inside and outside the building to serve the actual needs of children at the day care center. The Board concludes that the location of spaces to be used by the Church across Good Hope Road are sufficient to serve the needs of the Church, and that the number of such spaces far exceed the minimum requirement.

Accordingly, it is ORDERED that the above application is GRANTED SUBJECT to the CONDITION that the student enrollment shall not exceed FORTY STUDENTS.

VOTE: 5-0 (Charles R. Norris, Walter B. Lewis, William F. McIntosh  
Chloethiel Woodard Smith and Leonard L. McCants)

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

ATTESTED BY: \_\_\_\_\_

  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: \_\_\_\_\_

28 APR 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLES APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.