

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12863, of Columbia Hospital for Women, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the provisions of Paragraph 7107.21 allowing an addition to a non-conforming structure which now exceeds the allowable height of building in an R-5-B/C-2-C Districts at the premises 2425 L Street, N.W. (Square 25, Lot 19).

HEARING DATE: February 14, 1979  
DECISION DATE: March 7, 1979

FINDINGS OF FACT:

1. The subject property is located within the R-5-B and C-2-C zoning districts and is improved by a building having a height of approximately eighty feet. The building is devoted to hospital use for the Columbia Hospital for Women.
2. The lot contains an area of approximately 153,000 square feet and is approximately 446 feet wide. The applicant requests permission to construct an addition to the east and west wings of the existing hospital building.
3. The R-5-B District permits a lot occupancy of sixty percent, a floor area ratio of 1.8 and a height of sixty feet. Although the existing building is well within the lot occupancy and F.A.R. requirements, it exceeds the permissible building height by approximately twenty feet and thus is a non-conforming structure.
4. The proposed addition would be well within the lot occupancy and F.A.R. requirements. Further, the major part of the addition would be built to a height of approximately forty-two feet and would thus be within the height requirements for the R-5-B District. There is a stair tower attached to the existing building which will be extended to the top floor of the existing building. This stair tower will exceed sixty feet in height, but will not extend above the level of the main roof of the existing building.
5. The existing Columbia Hospital for Women building is a 154 bed hospital which presently employs a staff of 502 persons. The proposed addition would not increase the bed capacity of the hospital but would add fifteen persons to the current staff. The addition would be for the purpose of updating the facilities of the hospital, and not for the purpose of expansion of the number of beds.

6. In order for the hospital to maintain its accreditation, it is necessary to expand existing facilities to meet the functional needs of the hospital's departments. The precise program requirements which the hospital is required to satisfy are set forth in the Certificate of Need approved by the District of Columbia.

7. The proposed addition calls for extending the ground floor wing to the property line on 24th Street and "L" Street, N.W. The proposed addition at the first and second floors is stepped back from the property line since the space requirements are not as extensive as on the ground floor.

8. Since the existing building is a non-conforming structure which exceeds the height requirements of the R-5-B District, it is impossible for the applicant to construct any addition to the existing building without first obtaining a variance from Section 7107.21 of the Zoning Regulations.

9. In order to maintain its accreditation and to comply with the program requirements set forth in the Certificate of Need, it is necessary for the applicant to construct the proposed addition. In order to meet code requirements, the stair tower extension is necessary. Without the required additional space, the hospital will lose its accreditation and will be forced to shut down.

10. The Foggy Bottom and West End Advisory Neighborhood Commission, by resolution dated January 9, 1979, stated that it supports the subject application for an addition and renovation to the existing structure in order for the hospital to provide service facilities and retain its accreditation. The ANC waived the 30 day notice requirement and strongly supported the request by the hospital for a bench decision.

11. The Board left the record open to allow the Dupont Circle Citizens Association to submit its position and comments on the application. By letter dated March 6, 1979, the association submitted its opposition to the application. The association stated that the applicant had not satisfied the requirements of Paragraph 8207.11 in that the hardship is self-created, that the applicant had not demonstrated why the proposed facilities could not be constructed elsewhere on the lot, that it opposed parking on the hospital grounds and in the gardens, that the lack of elevations makes an assessment of impact impossible, and that there was lack of adequate notice.

As to the comments of the association, the Board does not find the objections raised by the association to be credible in light of all the other testimony before the Board. The Board finds that the existing building creates the practical difficulty and that no modification to the building could be made regardless of height without Board approval of a variance. The Board finds that the issue of parking is not before the Board, as accessory parking on the same lot as the main use is permitted as a matter-of-right. The Board finds that the plans submitted are clear enough to illustrate the nature and effect of the proposed addition. The Board finds that proper notice was given pursuant to the Board's Supplemental Rules of Practice and Procedure, and further that ANC-2A, by written resolution, waived its right to thirty days written notice from the Board.

CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the requested variance is an area variance, the granting of which requires the showing of a practical difficulty, rather than a hardship. The Board concludes that the applicant has established that it would suffer a practical difficulty if the variance were not granted. A hospital use is permitted as a matter-of-right in the R-5-B District and the proposed addition conforms to the lot occupancy, F.A.R and height regulations except the extension of the stair tower to a height above sixty feet. In order to build the proposed addition, however, the Board of Zoning Adjustment must grant the variance requested. The fact that the existing hospital building does not conform with the height requirements for the R-5-B District makes it impossible for the applicant to expand its facilities without the requested variance. Further, if it is unable to construct the proposed addition, the applicant will lose its accreditation and be forced to relocate elsewhere. In view of these facts, strict compliance with the Regulations would be unduly burdensome. The Board concludes that the grant of the variance will not adversely affect the public good or impair the integrity of the zone plan. The proposed addition will enable the hospital to expand its facilities to meet the medical needs of the residents of the community.

The Board concludes that it has accorded to the ANC the "great weight" to which it is entitled. It is therefore ORDERED that the above application be GRANTED.

VOTE: 5-0 (Charles R. Norris, Ruby B. McZier, Leonard L. McCants, William F. McIntosh and Chloethiel Woodard Smith to GRANT).

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

ATTESTED BY:

  
\_\_\_\_\_  
STEVEN E. SHER  
Executive Director

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

4 APR 1979

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 HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.