

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13186 of the Trustees of the St. Marks Baptist Church, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the lot occupancy requirements (Sub-section 3303.1 and Paragraph 7107.23) and the rear yard requirements (Sub-section 3304.1 and Paragraph 7107.22) for proposed addition to an existing church which is a non-conforming structure in an R-2 District at the premises 624 Underwood Street, N.W., (Square 3197, Lots 21 and 22).

HEARING DATES: March 12 and May 14, 1980
DECISION DATES: June 4, 1980

FINDINGS OF FACTS:

1. The subject site is located at the southeast corner of the intersection of Underwood and 7th Streets, N.W. and is known as 624 Underwood Street, N.W. It is in an R-2 District.
2. The subject site is rectangular in shape, fifty-five feet wide and 120.05 feet deep. It is improved with a two level structure known as St. Marks Baptist Church. There is a fifteen foot wide public alley to the rear of the site. There are building restriction lines of fifteen feet on the Underwood and 7th Street sides of the site. There are no facilities for on-site parking.
3. The original structure was built in 1945. The present congregation has occupied the structure since 1958. In 1965 a second level was added to the structure. The second level is the sanctuary level. The lower level is used for education classes, the pastor's study and as a social area.
4. The present enrollment of the subject congregation is 403 most of whom are not residents of the subject neighborhood. On the upper level 196 seats are provided. On the lower level there are ninety-six seats. The applicant proposes to increase the seating capacity to a total of 344. The applicant proposes to remove the baptismal pool from the upper level to the lower level of the church.

5. The church holds services on Sunday and Thursday evenings. The social hall is used about two times a month for a fellowship dinner. On Sunday and Monday evenings educational Sunday school classes are held. There is choir practice on Tuesday and Friday evenings.

6. The applicant proposes an addition to the north, east and south sides of the church. The addition would be to the full height of the church. On the 7th street side a ramp for the handicapped would be constructed. The rear addition is 16.2 feet deep leaving an area of 4.10 feet between the addition and the alley. The front addition is 10.6 feet to the building restriction line. The stairs to the front would be beyond the building restriction line. The 5.10 feet addition to the east of the property would eliminate the side yard and be flush with the adjacent property line. There is a single family residence with windows on the side facing this proposed east addition.

7. The applicant requires a variance of 298 square feet or 7.25 percent from the lot occupancy requirements of the Zoning Regulations and a twenty foot or 100 percent variance from the rear yard requirements.

8. The application was opposed by residents of the immediate neighborhood. The residents submitted a petition of over eighty-five signatures in opposition. The basic grounds for the opposition were that the applicant was not a good neighbor in that it never involved itself with the community affairs, that the applicant never met with the residents or other neighborhood groups to discuss its plans for the subject expansion, that the applicant's congregation creates traffic congestion and that the subject site is already over-crowded.

9. ANC-4B, by letter of March 10, 1980, opposed the application in the grounds that the majority of the residents opposed the expansion on the grounds that the present structure is already over-sized with respect to its lot and neighborhood context and that any further expansion will be a serious detriment to the architectural character and environment of the communit

10. The Board at the public hearing suggested that the applicant, the ANC and the opposition meet and discuss their issues. The record was left open for the submission of a report on any such meetings. No reports were submitted.

11. The Board is required by statute to give "great weight" to the issues and concerns expressed by the ANC. In addressing these concerns as well as those of the residents, the Board notes that the present structure is a non-conforming structure. While the present structure does not overcrowd the subject site, the Board finds that the proposed addition on three sides of the structure will overcrowd the site and would substantially impair the intent, purpose and integrity of the zone plan.

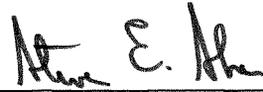
CONCLUSIONS OF LAW:

Based on the record the Board concludes that the applicant is seeking area variances the granting of which requires a showing of a practical difficulty inherent in the property itself which causes a hardship upon the owner of the property. The Board concludes that there is no practical difficulty in the property. The site is rectangular in shape. The practical difficulty results in the overcrowding of the site with its proposed additions. The Board further concludes that the variances sought are in no manner minimal. The Board further concludes that the relief cannot be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan. Accordingly, it is ORDERED that the application is DENIED.

VOTE: 4-0 (Charles R. Norris, Connie Fortune, William F. McIntosh and Leonard L. McCants to deny John Parsons not voting.)

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

ATTESTED BY:



Steven E. Sher
Executive Director

FINAL DATE OF ORDER: 28 JUL 1980

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."