GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 13249, of the Trustees of the Walker Memorial Baptist Church, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the lot occupancy requirements (Sub-section 3303.1) to construct a church in an R-5-B District at the premises 2020 - 13th Street, N.W., (Square 236, Lots 62 and 831).

HEARING DATE: May 21, 1980
DECISION DATE: May 21, 1980 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located in an R-5-B District on the west side of 13th Street between U and V Streets, N.W.

2. The subject property is presently improved with a church building occupied by the Walker Memorial Baptist Church. The Church has occupied the property for eighty-eight years.

3. The applicant proposes to demolish the existing church building and erect a new building to accommodate the expanded membership and activities of the Church.

4. The Church owns lot 62. Lot 831 is owned by the Government of the District of Columbia and will be leased for ninety-nine years by the Church.

5. The subject property is eighty feet wide and approximately 113 feet deep. A public alley cuts off a small triangular shaped piece at the northwest corner of the lot.

6. The area of the lots is 8,724.7 square feet. The applicant proposes to construct the new building primarily on the lot owned by the Church. The property leased from the District Government would contain only a small extension of the building and an exit staircase.

7. The proposed Church would contain a basement, main floor and balcony. The basement would contain classrooms, a kitchen, an all-purpose room and other meeting, service and function rooms devoted to Church use. The main floor would contain the sanctuary, a chapel and various offices. The balcony would contain additional classrooms and seats overlooking the sanctuary. The total seating capacity of the sanctuary would be approximately 500.

8. The height of the proposed building would be approximately forty feet.

9. The R-5-B District permits a maximum lot occupancy of sixty percent. For the subject lot, the maximum building area could thus be 5,234.86 square feet. The applicant proposes to occupy 7,210.2 square feet. A variance of 1,975.34 square feet is thus required.

10. The applicant has no means to acquire additional property on which to expand. The site is bordered on the north and west by public alleys, and on the east by 13th Street. The Church has attempted to acquire the abutting property to the south, but the present owner is unwilling to sell.

11. No parking is required for a Church. At present, persons attending the Church park on the streets in the area, without apparent adverse effect. This parking situation would continue with the proposed building.

12. The size of the building is dictated by the need to serve the size of the congregation, and to provide adequate space for the Church to continue to serve some of the needs of the surrounding community.

13. There is a letter in the record from Councilmember David A. Clarke in support of the application.

14. There is a letter in the record from the ANC Commissioner of the single member district within which the property is located. There is no report from Advisory Neighborhood Commission - 1B.

15. There was no opposition to the application.

CONCLUSIONS OF LAW AND OPINION

The Board concludes that the requested variance is an area variance, the granting of which requires the showing of some exceptional or extraordinary condition of the property which creates a practical difficulty for the owner. The Board concludes that the Church is effectively precluded from acquiring additional property on which to expand, that the size of the building is constrained by the needs of the congregation, and that the Church has a historial commitment to remain on its site. All of these factors combine to create exceptional conditions of the property.

To require the applicant to meet the normal lot occupancy requirements would curtail the functions of the Church and would impose a practical difficulty upon the applicant. The Board concludes that the requested 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 maps. It is therefore ORDERED that the application is GRANTED.

VOTE: 4-0 (Charles R. Norris, John G. Parsons, Connie Fortune and William F. McIntosh to GRANT; Leonard L. McCants not voting, not having heard the case).

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

ATTESTED BY: Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 7 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."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.