

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**BOARD OF ZONING ADJUSTMENT**



Application No. 13707, of Peace 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 a proposed addition to a church which is a non-conforming structure in an R-4 District at the premises 712 18th Street, N.E., (Square 4511, Lot 67).

HEARING DATE: March 17, 1982  
DECISION DATE: April 7, 1982

FINDINGS OF FACT:

1. The subject property is located at the southwest corner of the intersection of 18th Street and Gales Place, N.E. It is in an R-4 District at premises known as 712 18th Street, N.E.
2. The subject property contains 9,626.7 square feet in area. It is rectangular in shape with approximately 71.75 feet of frontage along 18th Street and approximately 134.17 feet of frontage along Gales Place.
3. The property is improved with a brick church building and a two-story brick structure used for church related activities, including offices and meeting rooms.
4. The applicant proposes to demolish the two-story brick structure. The church is to be renovated and expanded on the west with a two-story and basement addition to include classrooms, offices, and seating facilities in the sanctuary. The present capacity of the church is 414 seats. The proposed capacity is 548 seats.
5. The subject structure, built prior to the adoption of the present Zoning Regulations, has a rear yard of five feet, rather than the twenty feet required for the R-4 District. The proposed addition would also have a rear yard of only five feet. A rear yard variance of fifteen feet or seventy-five percent is required.
6. The R-4 District requires a minimum lot area of 4,000 square feet, while 9,626.7 square feet is provided. A minimum lot width of forty is required, while 71.75 feet is provided.

7. The maximum permitted lot occupancy is sixty percent or 5,776.02 square feet for the subject lot. The existing building occupies 5,219.34 square feet and the proposed addition would occupy 3,389.97 square feet for a total occupancy of 8,609.31 square feet. This would require a variance of 2,833.29 square feet, or forty-nine percent.

8. No side yard is required and none is provided.

9. A building height of forty feet and three stories is allowed while a height of thirty-four feet and three stories is provided.

10. No parking spaces are required while 100 spaces are provided on a nearby lot.

11. The applicant filed into the record a revised proposal dated March 30, 1982, and marked as Exhibit No. 24 of the record. In the revised proposal, the rear wall of the addition would be set at the same line as the rear wall of the main portion of the existing building. This would constitute a rear yard of 17.125 feet for the addition, requiring a variance of 2.875 feet or fourteen percent which will lessen the degree of non-conformity. The lot occupancy provided is 7,866.67 square feet requiring a variance of 2,090.65 square feet or thirty-six percent, which is less than originally proposed.

12. The subject property is surrounded by streets and alleys on three sides, Gales Place on the north, 18th Street on the side and a sixteen foot alley on the south. There are six row dwellings adjacent to the subject site to the west. Adjacent to and west of the six row dwellings is an approximately 16,759 square foot parking lot (Lot 829, Square 4511) owned by the Church containing some 100 parking spaces.

13. The church has grown substantially in members to over 1200 in the past twenty years. The church has services twice on Sunday with an average attendance of 300 persons at each service as well persons attending Sunday School.

14. The church is in need of additional classroom space for the Sunday School program and other training activities.

15. The church has a long standing history and tradition with its congregation and the neighborhood.

16. The Office of Planning and Development, by report dated March 12, 1982, recommended that the proposed application be approved subject to a finding by the Board that it would create a hardship for the church to locate elsewhere. During the course of the hearing the OPD amended its recommendation to support the alternative proposal to

reduce the rear yard and lot occupancy variances. The OPD stated that enlargement of the church facilities was needed to serve the growing needs of the congregation. It was OPD's opinion that the church addition as revised would not likely impact the neighborhood adversely due to noise, traffic and other conditions. The Board concurs with the findings and recommendation of the OPD.

17. No report and recommendation was received from Advisory Neighborhood Commission 6A. A letter dated March 16, 1982 signed by the Chairman of ANC-6A stated that the ANC Commissioner of Single Member District 6A02 expressed her support of the proposal.

18. There was no opposition to the granting of this application at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicant is seeking area variances, the granting of which requires the showing of a practical difficulty inherent in the property. The structure was built prior to the adoption of the Zoning Regulations with a deficient rear yard. It is thus a non-conforming structure. The applicant's proposed addition will reduce the non-conformity of the rear yard but will exceed the lot occupancy. However, the Board concludes that the practical difficulty is inherent in the property given the existence of two separate and inefficient structures on the lot. The Board concludes that it would be a hardship on the church to relocate the structure to the larger lot it presently uses for parking. The Board further concludes that the relief can 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 hereby GRANTED SUBJECT to the CONDITION that construction be in accordance with the plans marked as Exhibit No. 24, dated March 30, 1982 of the record.

VOTE: 5-0 (Walter B. Lewis, William F. McIntosh, Douglas J. Patton, Connie Fortune and Charles R. Norris to GRANT).

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

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

FINAL DATE OF ORDER: JUL 29 1982