

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13763, of the Reserve Officers Association, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 4101.44 to permit the area of an arcade to be enclosed in an existing office building for a non-profit organization in an SP-2 District at the premises 101 Constitution Avenue, N.E., (Square 726, Lot 10).

HEARING DATE: June 9, 1982
DECISION DATE: July 7, 1982

FINDINGS OF FACT:

1. The subject property is located at the southeast corner of the intersection of First Street and Constitution Avenue, N.E. It is in an SP-2 District at premises known as 101 Constitution Avenue, N.E.

2. The subject property contains approximately 6,709 square feet of land area and is improved with a five-story office building which has approximately 27,345 square feet of gross floor area. The structure is owned and occupied as the National Headquarters of the Reserve Officers Association of the United States, a non-profit organization.

3. North of the subject property across Constitution Avenue is the Everett Dirksen Senate Office building. To the northwest is the Richard Russell Senate Office building and directly west across First Street are the U.S. Capitol grounds. To the east and south are also office buildings.

4. The applicant proposes to enclose three of five arches of an open arcade on the east side of the building. The building has arcades on three sides, with no arcades for the southern side. The three arches on the east side will be enclosed with limestone panels which will match the existing building material.

5. The proposed enclosure will provide a chapel of approximately 110 square feet and storage space of approximately 260 square feet totaling 370 square feet.

6. This Board previously approved application No. 8820 on August 31, 1966, which permitted the construction of the existing office building. The floor area calculations approved in BZA Order No. 8820 included the floor area of the arcades and thus the enclosure of part of the arcade will not increase the existing floor area.

7. The proposed enclosure would be only minimally visible from Constitution Avenue.

8. The subject property is located in the Capitol Hill Historic District.

9. The applicant testified that the proposal has been given preliminary approval by the Joint Committee on Landmarks, and that it has received a letter from the Fine Arts Commission stating that it has no objection.

10. The Office of Planning and Development, by report dated June 4, 1982, recommended approval of the proposed application stating that the proposed use would be in harmony with existing uses and structures on neighboring property and it would not create dangerous or other objectionable conditions in the area. The Board so finds.

11. The Architect of the Capitol by letter dated June 30, 1982 stated that he had no objection to the proposed application.

12. Advisory Neighborhood Commission 6B, by letter dated May 31, 1982, recommended approval of the proposed application since there would be no change in FAR and that the special exception can be granted without impairing the intent, purpose and integrity of the zone plan. The Board concurs in the ANC recommendation.

13. There is also a letter of support in the record filed by the International Reform Federation, Inc., at 120 Maryland Avenue, N.E.

15. No one appeared in opposition at the public hearing.

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 a special exception, the granting of which requires a showing through substantial evidence that the applicant has complied with the requirements of Paragraph 4101.41 of the Zoning Regulations.

The proposed enclosure of three arches on the east side of the subject property containing 370 square feet of floor area is not extensive and will not increase the existing floor area ratio. The addition will be constructed of material identical to the existing building and is so located as to have the last visibility from public rights-of-way. The Board concludes that the proposed uses, height, bulk and design are in harmony with existing uses and structures on neighboring property. The Board further concludes that the proposed chapel and storage area will not create dangerous or other objectionable traffic conditions.

The Board further concludes that the relief requested can be granted as in harmony with the general purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of neighboring property. It is therefore ORDERED that this application is GRANTED.

VOTE: 3-0 (William F. McIntosh, Lindsley Williams and Charles R. Norris to GRANT; Connie Fortune and Douglas J. Patton 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: SEP 24 1982.

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BEEN 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.