

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14399 of the Gospel Mission, Inc., pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 4101.44 to use all floors and basement of the subject premises for SP-2 office uses in an HR/SP-2 District at the premises 477 H Street, N.W., (Square 517, Lot 20).

HEARING DATE: March 12, 1986

DECISION DATE: March 12, 1986 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the northeast Corner of the intersection of 5th and H Streets and is known as premises 477 H Street, N.W. It is zoned HR/SP-2.

2. The subject property is 32.6 feet wide and 100 feet deep. It is improved with a three story plus cellar building which contains approximately 10,192 square feet of gross floor area, and occupies 100 percent of the lot. The existing building was originally constructed in 1876 and was remodelled to its present configuration in approximately 1923.

3. Pursuant to BZA Application No. 13770, dated September 13, 1982, the Board granted special exception relief to use all floors and basement for SP-2 office use and a variance from the off-street parking requirements. The applicant failed to apply for a Certificate of Occupancy within six months from the date of the order and, therefore, the approval lapsed.

4. The applicant is currently seeking reinstatement of the previously approved special exception relief on behalf of DEC Development Company, the contract purchaser.

5. Due to amendments to the text of the Zoning Regulations relative to parking and loading requirements which became effective March 1, 1985, the variance from the on-site parking requirements which was approved by BZA Order No. 13770 is no longer required

6. The most recent use of the subject building was as a center for distribution of clothing to the indigent operated by the Gospel Mission. The Gospel Mission desires to sell the subject property due to financial pressures and

plans to move the clothing distribution center to another location.

7. Uses surrounding the subject site include the D.C. Lung Association, law offices, the Judiciary House Apartments, a cafe, the General Accounting Office, a dry cleaners, a parking lot, a fire house and both single and multi-family residential units. Immediately north of the site, a hotel-office complex has been approved under a planned unit development application by the Zoning Commission.

8. The contract purchaser proposes to renovate the interior and exterior of the existing structure for use as an SP-2 office building. The facade of the building will be restored in a manner consistent with its original finish and to the extent possible, restored to its turn-of-the-century design. The subject building currently has five entrances. After renovation, the number of entrances will be reduced to two, one at the front and one at the rear. Renovation of the interior of the building will include providing new mechanical and electrical systems and constructing two fire stairs which do not exist at present.

9. The total FAR of the subject site is less than the maximum 3.5 FAR allowed in the SP-2 District for other than residential use.

10. The contract purchaser plans to lease the subject space to a single law and urban planning firm.

11. The contact purchaser testified that the use, height, bulk and design of the premises are in harmony with nearby uses and structures since the proposal involves the renovation of an existing building with no additional construction and that the proposed use will be generally consistent in intensity and character with adjoining properties, a number of which house SP office uses. The Board so finds.

12. The applicant's expert traffic witness testified that the site is well-served by public transportation with two nearby Metro stations and eight bus lines within a three block radius of the site. Approximately twenty percent of the anticipated twenty-five to thirty occupants of the building would drive to the site requiring six parking spaces. Approximately 800 parking spaces are located in commercial lots in the immediate area and spaces are available on a daily or monthly basis to meet the needs of any visitors or employees who drive to the subject site. The intersection at 5th and H operates at the A level of service at all times, therefore, the addition of approximately six vehicles in the area would not have an adverse impact on traffic conditions in the area. The Board so finds.

13. The Board finds no need to impose any special treatment by way of design or screening due to the nature of the proposal which involves an existing building and which will entail no significant exterior changes.

14. The Zoning Regulations require four on-site parking spaces for the proposed office use. The subject property has a credit of seventeen parking spaces from the prior use based on the Zoning Regulations effective on March 1, 1985. Therefore no on-site parking on the subject site is required.

15. Advisory Neighborhood Commission 2C, by letter dated February 24, 1986, recommended approval of the subject application. The ANC found that the use, height, bulk and design of the proposed SP office use are in accord with existing uses and structures on neighboring properties. The Board concurs with the recommendation of the ANC.

16. The record contains several letters in support of the subject application from adjacent and nearby property owners.

17. There was no opposition to the application present 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 a special exception. The granting of the special exception requires that the applicant must demonstrate compliance with Paragraph 4101.44 and Sub-section 8207.2 of the Zoning Regulations. The Board concludes that the applicant has so complied. The Board found in Finding of Fact No. 11 that the use, height, bulk and design of the structure will be in harmony with existing uses and structures on neighboring properties. The use of the structure will not create any dangerous or other objectionable traffic conditions as found in Finding of Fact No. 12.

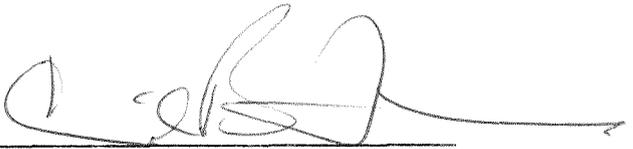
The Board further concludes that the approval of the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to effect adversely the use of neighboring property in accordance with said Regulations and Maps.

Accordingly, it ORDERED that the application be GRANTED.

VOTE: 4-0 (Paula Jewell, William F. McIntosh, Charles R. Norris and Carrie L. Thornhill)

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

ATTESTED BY:

  
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CECIL B. TUCKER  
Acting Executive Director

FINAL DATE OF ORDER: 08 MAY 1986

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 CONSUMER AND REGULATORY AFFAIRS.

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