

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14619 of Lenore Partnership, pursuant to Sub-section 8207.2 (3108.1, 11 DCMR) of the Zoning Regulations, for a special exception under Paragraph 3101.45 (209.1, 11 DCMR) to permit construction of a community center building including a tennis court and a swimming pool in an R-1-A District at premises 4201 Lenore Lane, N.W., (Square 2246, Lot 27).

HEARING DATE: June 24, 1987
DECISION DATE: June 24, 1987

FINDINGS OF FACT:

1. The site, known as premises 4201 Lenore Lane, N.W., is located adjacent to the intersection of Lenore Lane and Linnean Avenue. The site is located in an R-1-A District.

2. The site is quadrilateral in shape with an area of approximately 18,000 square feet. It is unimproved.

3. The R-1-A District extends in all directions from the site. The immediate neighborhood is developed with single-family detached houses, the Hillwood Mansion / Museum and the Royal Netherlands Embassy.

4. The site is owned by a non-profit group of neighboring families that have formed a partnership known as Lenore Partnership.

5. Pursuant to Sub-section 8207.2 of Zoning Regulation's Lenore Partnership is seeking a special exception to construct a swimming pool, bath house, deck, and tennis court facility on the site for the use of the membership and their families.

6. The partnership is a local community organization which was formed exclusively for the promotion of the social welfare of the neighborhood in which the pool and tennis court are proposed to be located.

7. No articles of commerce will be offered for sale on the grounds of the facility.

8. The facility will be limited to a single tennis court, a twenty foot by fifty-five foot swimming pool, bath house with changing, shower, toilet, maintenance, storage,

and other necessary facilities, and surrounding deck. Facilities are to be used by the members of the homeowners association and their guests. There will be no parking facilities provided on site.

9. The proposed tennis court and pool will be constructed in accordance with the Building Code and other District of Columbia requirements. The swimming pool will have a cover to provide additional safety.

10. Membership in the Partnership will be limited to no more than fifteen families. All but two of the families will live within approximately 1000 feet of the facilities.

11. Landscaping around the perimeter of the facilities on Lenore Lane and Linnean Avenue, N.W. will include evergreens and/or other plantings as recommended by a landscape architect to provide screening from the street.

12. There will be no artificial lighting of the facilities at night except for lighting required for security and safety.

13. There will be an integrated architectural solution for the storage of trash and a plan for trash removal.

14. By letter dated June 1, 1987 Advisory Neighborhood Commission 3F reported that it voted not to oppose the application.

15. There was no opposition to the application at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the 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 3101.45 and Sub-section 8207.2 of the Zoning Regulations. The Board concludes that the applicant has met its burden of proof in demonstrating that the proposed recreation facilities will be operated by a local community association which is not organized for profit, but is exclusively for the promotion of the social welfare of the neighborhood in which it is proposed to be located. There will be no articles of commerce for sale on the premises. It is not likely to become objectionable because of noise or traffic since there is a limitation on members in number and geographic area and no on-site parking provided. The lack of on-site parking is to encourage walking to the site. The use is reasonably convenient to the neighborhood in which it is proposed to be located.

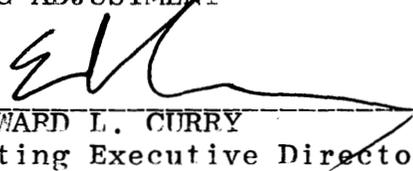
The Board further concludes that the use will not tend to affect adversely the use of the neighboring property. The Board is further of the opinion that the relief requested can be granted as in harmony with the general purpose and intent of the zone plan. Accordingly, it is ORDERED that the application is hereby GRANTED SUBJECT to the following CONDITIONS:

- A. The membership of the association, Lenore Partnership, or any successor entity that will use the recreational facilities shall be limited to no more than fifteen families. No more than two of the member families may reside in excess of 1,000 feet from the subject site.
- B. There shall be no illumination of the recreational facilities at night except for security lighting.
- C. No parking shall be provided on the site.
- D. The layout of the recreational facilities shall be as shown on Exhibit Number 3 of the record.
- E. Final building plans shall include an architecturally designed trash collection site within the facility. The applicant shall provide for private trash collection service from the site on a regular basis.
- F. Evergreen landscaping shall be provided along the boundaries of the site bordering public rights-of-way to screen the facilities from the streets.

VOTE:4-0 (Lindsley Williams, Paula L. Jewell, William F. McIntosh and Charles R. Norris to grant)

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

ATTESTED BY:


EDWARD L. CURRY
Acting Executive Director

FINAL DATE OF ORDER: _____

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UNDER 11 DCMR 3103.1, "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."

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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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