

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Board of Zoning Adjustment**



**Application No. 17755 of Mt. Lebanon Baptist Church**, pursuant to 11 DCMR § 3104.1 for a special exception to establish a community service center under § 334<sup>1</sup>, in the R-4 District at premises 225 Morgan Street, N.W. (Square 555, Lot 150).

**Note:** The Board determined that no variance relief was necessary under § 401.11. Therefore, this order addresses only the special exception relief approved by the Board.

**HEARING DATE:** April 22, 2008  
**DECISION DATE:** May 6, 2008

**SUMMARY ORDER**

**SELF-CERTIFIED**

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 6C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6C, which is automatically a party to this application. ANC 6C submitted a report in support of the application. The Office of Planning (OP) also submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for a special exception under § 334. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

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<sup>1</sup> The applicant initially sought an area variance from § 401.11. However, the Board concluded that this relief was not necessary. Section 401.11 imposes a minimum area requirement for apartment units when the number of units in an existing apartment house is increased. The Board determined that there were six units at the subject property and therefore, the number of units would not increase as a result of the project. As a result, the area requirements of § 401.11 are inapplicable and the relief is, therefore, not required.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 334, that the requested relief can be granted being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application (per Exhibit No. 33, "Architectural Plans") be **GRANTED, SUBJECT to the following CONDITIONS:**

- (1) The hours of operation of the Job Training Center, to be operated in conjunction with the Department of Employment Services and CVS, shall be Monday through Friday, 8:30 a.m. to 5:30 p.m.
- (2) The hours of operation of the Computer Training Center, service space on first floor, shall be Monday through Saturday, 8:30 a.m. to 6:30 p.m.
- (3) The hours of operation of the Community Room, meeting space for neighborhood associations and non-profits, shall be Monday through Saturday, 8:30 a.m. to 10:00 p.m.
- (4) Uses in the building will be limited to a maximum of six dwelling units, a community service center, and the Mount Lebanon Baptist Church Community Development Corporation (CDC). The CDC would manage the building and offer computer training and other social service program support for the community service center.
- (5) There will be a maximum of twelve trainees and five staff persons on-site at any given time.

**VOTE:**       **5-0-0** (Ruthanne G. Miller, Marc D. Loud, Mary Oates Walker, Shane L. Dettman, and Michael G. Turnbull to approve)

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

Each concurring member approved the issuance of this order.

ATTESTED BY:

  
JERRILY R. KRESS, FAIA  
Director, Office of Zoning

FINAL DATE OF ORDER: MAY 14 2008

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

PURSUANT TO 11 DCMR § 3205, FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART, SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE §§ 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC

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INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Board of Zoning Adjustment**



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As Director of the Office of Zoning, I hereby certify and attest that on **MAY 14, 2008**, a copy of the order entered on that date in this matter was mailed first class, postage prepaid or delivered via inter-agency mail, to each party who appeared and participated in the public hearing concerning the matter and to each public agency listed below:

MissionFirst Development, LLC  
1330 New Hampshire Avenue, NW  
Washington, D.C. 20036

Deborah Collins, Chairman  
Board of Trustees  
Mount Lebanon Baptist Church  
1219 New Jersey Avenue, N.W.  
Washington, D.C. 20001

Toye Bello  
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Chairperson  
Advisory Neighborhood Commission 6C  
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Washington, D.C. 20013

Single Member District Commissioner 6C02  
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Jill Stern, Esquire  
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**ATTESTED BY:**

  
**JERRILY R. KRESS, FAIA**  
**Director, Office of Zoning**

TWR