

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- December 15, 1965

Appeal No. 8524 President & Directors of Georgetown College, Appellant.

The Zoning Administrator District of Columbia, Appellee.

On motion duly made, seconded and carried with Mr. McIntosh dissenting, the following Order was entered on March 10, 1966.

EFFECTIVE DATE OF ORDER -- March 21, 1966.

ORDERED:

That the appeal to erect library building upon the campus as part of the College and for approval of roof structures in accordance with Section 3308 of the Zoning Regulations at the northwest corner of 37th Street and Prospect Avenue, NW., parcel 28/33, near square 1307, be denied.

Based on the record and on the testimony adduced at the public hearing, the Board makes the following:

FINDINGS OF FACT:

(1) In August, 1965 Georgetown University submitted its 1985 Master Plan showing a library building at Site No. 9, which is that proposed in this appeal.

(2) National Capital Planning Commission opposes location of the Library on Site No. 9 and has suggested that it be located at Site No. 21 which is on the present main campus, west of 37th Street.

(3) The Commission of Fine Arts has recommended against location of the Library on Site No. 9 and has suggested it be located within the block bounded by 37th, 36th, O and N Streets, NW.

(4) The Georgetown Citizens Association has filed opposition to the appeal.

OPINION:

The Board concludes that the building proposed by appellant and exhibited at the hearing presents objectionable conditions (3101.46(a)) because of its height, and that a lower building on Site No. 9 might be approved.

The appeal must therefore be denied without prejudice to the right of appellant to file a new appeal at any time with revised building plans.

The Board has given very careful consideration to the provisions of Sections 3101.4 and 3101.46 of the Zoning Regulations and the jurisdiction and power of the Board with respect to these provisions. Nothing contained in either of these Sections of the Regulations definitely gives to the Board the power to approve or disapprove a "plan for developing the campus" submitted by any university. However, the Board has general jurisdiction to interpret the Zoning Regulations. In addition, the implication in these Sections of the Regulations is very strong and, in fact, is made almost mandatory by Section 3101.4, that any campus plan submitted by a university must be approved by the Board of Zoning Adjustment after submission to the National Capital Planning Commission and the Director, Department of Highways and Traffic. The specific campus plan under consideration, being located in Georgetown, must also be submitted to the Commission of Fine Arts.

No action has yet been taken by the Board of Zoning Adjustment approving or disapproving the 1985 Master Plan of Georgetown University but such action will be taken. Nothing contained in this Order should be construed as to constitute approval or disapproval of the 1985 Master Plan submitted by Georgetown University.

It is the opinion of the majority of the Board at this time that approval should not be given to extension of the University east of 37th Street. This should not be construed as final disapproval of such extension, but this opinion should be given consideration by the University in any final determination of where the University wishes the Library to be located. In other words, if the extension of the campus east of 37th Street is not approved by the Board of Zoning Adjustment, the quadrangle concept of the 1985 Master Plan and the location of the Library at Site No. 9 may possibly

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be subject to further consideration.

Mr. McIntosh dissents from the decision approving the location of the Library at Site No. 9.