

AGENDA

ANC 6A Economic Development & Zoning Committee
Wednesday September 17, 2008, 7-9:00 PM
Sherwood Recreation Center (640 10th St, NE)
2nd Floor Community Room

7:00 pm **Call to order**

7:01 **Ongoing Status Reports:**

1. 1400 Maryland Ave. BZA Case #17825 (Drew Ronneberg) (5 min)

7:05 **Old Business** - None

7:05 **New Business**

1. BZA 17847 (1118 Park St. NE). Applicant is seeking a special exception to allow a second story addition to an existing one-family row dwelling under section 223, not meeting the lot occupancy (section 403) and court (section 406) requirements in the R-4 District at premises 1118 Park Street, N.E. (Square 987, Lot 9). (25 minutes)
2. BZA 17842 (901-903 D St NE.) DC Teacher's Federal Credit Union is seeking a variance to allow the continued use of the former Edmonds public school for general office use under section 330.5, in the R-4 District at premises 901- 903 D Street, N.E. (Square 938, Lot 809) (35 minutes)
3. 1116 K St NE. The property owner would like to discuss plans to renovate a building on her property that was once used as a grocery store. She believes that the application would require zoning relief as the property was rezoned from C-2-A to R-4. (30 minutes)

8:30 **Additional Community Comment (time permitting)**

Everyone is welcome! Call Drew Ronneberg with questions at 431-4305.

Visit our website at <http://www.anc6a.org/>

Sign up for automated meeting reminders and community listserv at

<http://groups.yahoo.com/group/anc-6a/>

Form 120 ♦ Exhibit 1
(Revised 04/29/02)

Case No. **17847**

**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

APPLICATION

Notice: [Click Here for Application Form Instructions](#)

Pursuant to Sections ♦3103.2 ♦ Use Variance, ♦3103.2 ♦ Area Variance and/or ♦3104.1 ♦ Special Exception of Title 11 DCMR ♦ Zoning Regulations an application is hereby made, the details of which are as follows:

Address(es)*	Square(s)*	Lot No(s)*	Zoning Districts*	Relief Being Sought*	Section No(s)*
1118 Park ST, NE	0987	0609	R-4	Special Exception	223

Present Use of Property:* Single Family Residential

Proposed Use of Property:* Single Family Residential

Owner of Property:* Patricia A Schaub Telephone No.:(202)321-5887

Address:* 1118 Park ST, NE City:* Washington State:* DC Zip:* 20002

Written paragraph specifically stating the "who, what, and where of the proposed action(s)". This will serve as the Public Hearing Notice.*

Hearing Notice:*

The owner of 1118 Park ST, NE is seeking special exception via section 223 regarding coverage (401) and courts (406).

Estimated Construction Cost: \$13,850.00 Advisory Neighborhood Commission Single-Member District(s):* 6A03

Date:* 05/27/2008 Signature: *Patricia Schaub*

* The Owner of the Property for which the application is made or his/her authorized agent. In the event an authorized agent files an application on the behalf of the Owner, a letter signed by the Owner authorizing the agent to act on his/her behalf shall accompany the notice of application.

**To be notified of hearing and decision:
(Owner or Authorized Agent*)**

Name:* R. Michael Cross

Address:* 2517 E Grace ST City:* Richmond State:* VA Zip:* 23223

Phone No.:(804)332-6392 Fax No.:(804)332-6402 E-Mail:mcross@rmichaelcross.com

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

2008 JUN 27 PM 2:43
RECEIVED
D.C. OFFICE OF ZONING

Form 135 — Side 1
(Revised 03/15/02)

Case No. _____

ZONING SELF-CERTIFICATION FORM

Project Address(es)*	Square(s)*	Lot No(s)*	Zoning Districts*	ANC(s)/Single Member District(s)*
1118 Park ST, NE	0987	0009	R-4	6A03

CERTIFICATION

The undersigned agent hereby certifies that the following zoning relief is required from the Board of Zoning Adjustment in this matter pursuant to:

Relief Sought*	<input type="checkbox"/>	§3103.2 - Use Variance	<input type="checkbox"/>	§3103.2 - Area Variance	<input checked="" type="checkbox"/>	§3104.1-Special Exception
Pursuant to Subsections						223

Pursuant to 11 DCMR §3113.2, the undersigned agent certifies that:

1. the agent is duly licensed to practice law or architecture in the District of Columbia;
2. the agent is currently in good standing and otherwise entitled to practice law or architecture in the District of Columbia; and
3. the applicant is entitled to apply for the variance or special exception sought for the reasons stated in the application.

The undersigned agent and owner acknowledge that they are assuming the risk that the owner may require additional or different zoning relief from that which is self-certified in order to obtain, for the above-referenced project, any building permit, certificate of occupancy, or other administrative determination based upon the Zoning Regulations and Map. Any approval of the application by the Board of Zoning Adjustment does not constitute a Board finding that the relief sought is the relief required to obtain such permit, certification, or determination.

The undersigned agent and owner further acknowledge that any person aggrieved by the issuance of any permit, certificate, or determination for which the requested zoning relief is a prerequisite may appeal that permit, certificate, or determination on the grounds that additional or different zoning relief is required.

The undersigned agent and owner hereby hold the District of Columbia Office of Zoning and Department of Consumer and Regulatory Affairs harmless from any liability for failure of the undersigned to seek complete and proper zoning relief from the Board of Zoning Adjustment.

The undersigned owner hereby authorizes the undersigned agent to act on the owner's behalf in this matter.

Owner's Signature	Owner's Name Patricia A Schaub
Agent Signature	Agent Name R. Michael Cross

Date*	05/27/2008	DC Bar No.	or	Architect Registration No.	ARC101105
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**OFFICE OF ZONING DETERMINATION
(DCMR Title 11 §3113.2)**

Based upon review of the application and self-certification, this application is

<input type="checkbox"/>	Accepted for filing.				
<input type="checkbox"/>	Referred to the Office of the Zoning Administrator, Department of Consumer and Regulatory Affairs, for determination of proper zoning relief required.				
<input type="checkbox"/>	Rejected for failure to comply with the provisions of <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td><input type="checkbox"/></td> <td>DCMR Title 11 §3113.2; or</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>DCMR Title 11 Zoning Regulations.</td> </tr> </table>	<input type="checkbox"/>	DCMR Title 11 §3113.2; or	<input checked="" type="checkbox"/>	DCMR Title 11 Zoning Regulations.
<input type="checkbox"/>	DCMR Title 11 §3113.2; or				
<input checked="" type="checkbox"/>	DCMR Title 11 Zoning Regulations.				

Explanation

Signature:	Date:
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Jerrily R. Kress, FAIA — Director
District of Columbia Office of Zoning

441 4th Street, N.W. Ste. 210-S, Washington, D.C. 20001
(202) 727-6311 * (202) 727-6072 fax * www.dcoz.dc.gov

INSTRUCTIONS

Any request for self-certification that is not completed in accordance with the following instructions shall not be accepted.

1. All self-certification applications shall be made on Form 135. All certification forms must be completely filled out (front **and** back) and be typewritten or printed legibly. All information shall be furnished by the applicant. If additional space is necessary, use separate sheets of paper to complete this form.
2. Complete one self-certification form for each application filed. Present this form with the Form 120 Application to the Office of Zoning, 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.

ITEM	EXISTING CONDITIONS	MINIMUM REQUIRED	MAXIMUM ALLOWED	PROVIDED BY PROPOSED CONSTRUCTION	VARIANCE Deviation/Percent
Lot Area (sq. ft.)	1583	1800	N/A	Unchanged	Grandfathered
Lot Width (ft. to the tenth)	15.83	18	N/A	Unchanged	Grandfathered
Lot Occupancy (building area/lot)	67.5%	N/A	60%	Unchanged	7.5%
Floor Area Ratio (floor area/lot area)	N/A	N/A	N/A	Existing + 130SF	None
Parking Spaces (number)					
Loading Berths (number and size)					
Front Yard (ft. to the tenth)	7.4	N/A	N/A	Unchanged	None
Rear Yard (ft. to the tenth)	37.8	20	N/A	Unchanged	None
Side Yard (ft. to the tenth)					
Court, Open (width by depth)	4.8 x 15.9	6	N/A	Unchanged	20%
Court, Closed (width by depth)					
Height (ft. to the tenth)	20	N/A	40	Unchanged	None

rmichaelcross | Design Group

2517 E Grace ST
Richmond, VA 23223
804.332.6392 | P
804.332.6402 | F
mross@michaelcross.com | E

May 27, 2008

Client: Patricia A. Schaub

Phone: (202) 321-5887

Address:

1118 Park ST, NE
Washington, DC 20002

Project: Second Story Addition

Project Address:

1118 Park ST, NE
Washington, DC 20002

With this letter, I the *Client* formally recognize and authorize the agency implicit between myself and my *Architect*, R. Michael Cross, for all matters concerning the *Project* listed above. The duration of this agency shall extend from the date that the *Architect* was retained for services relating to the *Project*, which may predate this letter, and shall last until the completion of the *Project* or until the *Client* notifies the *Architect* in writing that his services are no longer required.



Signature - *Client*

Patricia A. Schaub

Printed Name - *Client*

Date: May 24, 2008



Signature - *Architect*

R. Michael Cross

Printed Name - *Architect*

Date: June 22nd, 2008

May 27, 2008

Ruthanne G. Miller, Chairperson
Board of Zoning Adjustment
441 4th Street, N.W., Suite 210
Washington, D.C. 20001

RE: Applicant's Burden of Proof Statement

Board of Zoning Adjustment:

Patricia A. Schaub, owner and resident of 1118 Park ST, NE seeks to be granted "Special Exception" under provision 223 of the DC Zoning Regulations with respect to sections 401 (coverage) and 406 (courts). "Special Exception" is being sought in order to obtain permits for the addition of a small sitting room (130 sf) above an existing single story section of the home. The non-conforming characteristics of this property for which the "Special Exception" would apply are pre-existing and will not be expanded by the proposed second story addition.

With respect to section 223.2, the proposed second story addition will not "have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

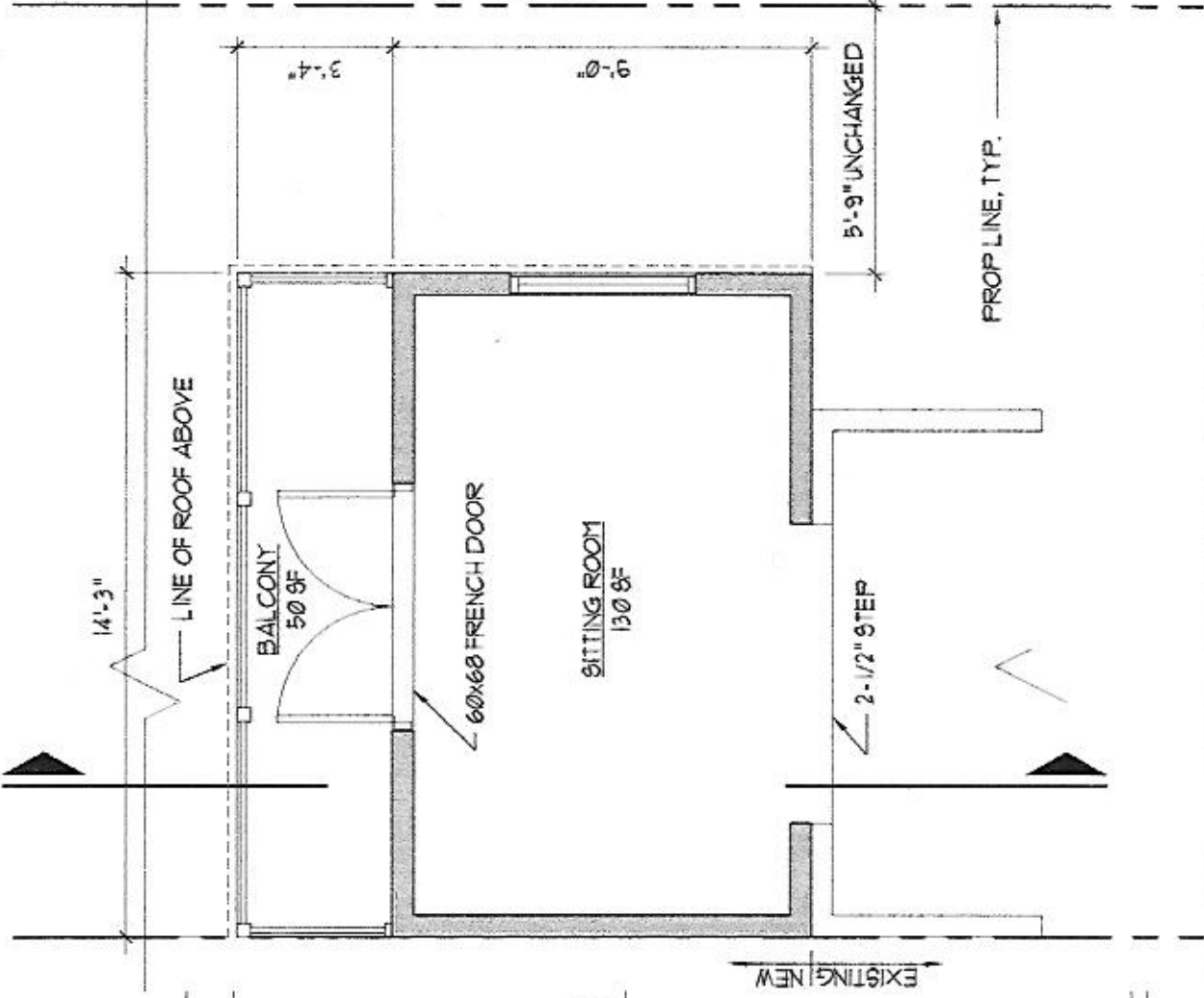
- (a) The light and air available to neighboring properties shall not be unduly affected;
- (b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;
- (c) The addition, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the subject street frontage".

As demonstrated in the attached plans and photographs, not only will the proposed second story addition not adversely affect the use of enjoyment of the neighbors, but is in keeping with the precedent of built form found on that block. Finally, the character of the proposed second story addition has been approved by DC's Department of Historic Preservation as being in keeping with both the original structure and the historic neighborhood as a whole.

The lot occupancy at this address will remain unchanged, as the second story addition is confined to the limits of the existing footprint, however, the owner seeks to be granted "Special Exception" for the existing coverage which exceeds that prescribed by section 401 but is less than that granted in section 223.3 for its R-4 district.

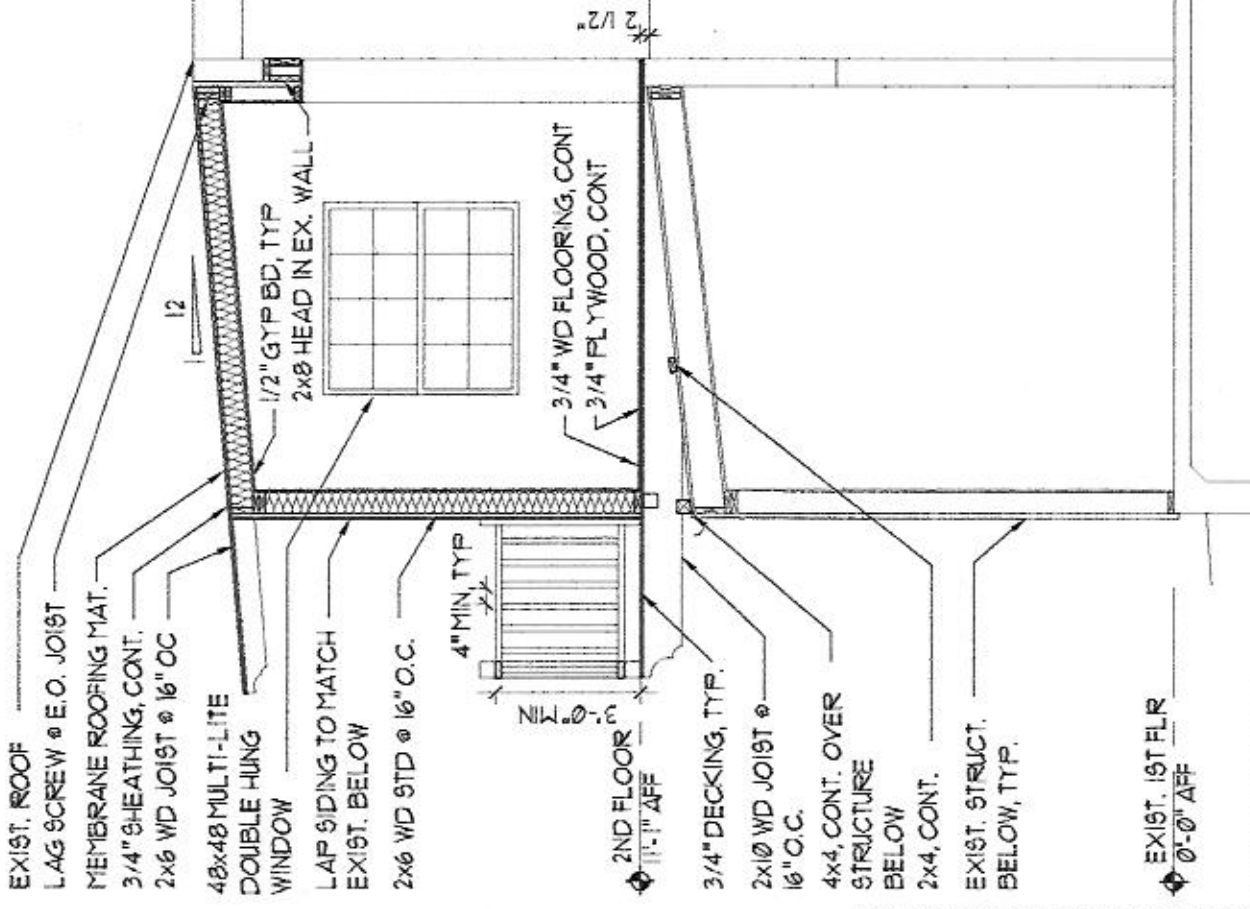


R. Michael Cross
Architect, DC#ARC101105



PLAN - 2ND STORY ADDITION

SCALE: 1/4" = 1'-0"



SECTION

SCALE: 1/4" = 1'-0"

OWNER: PATRICIA A. SCHAUB

DATE: 27 MAY 2008

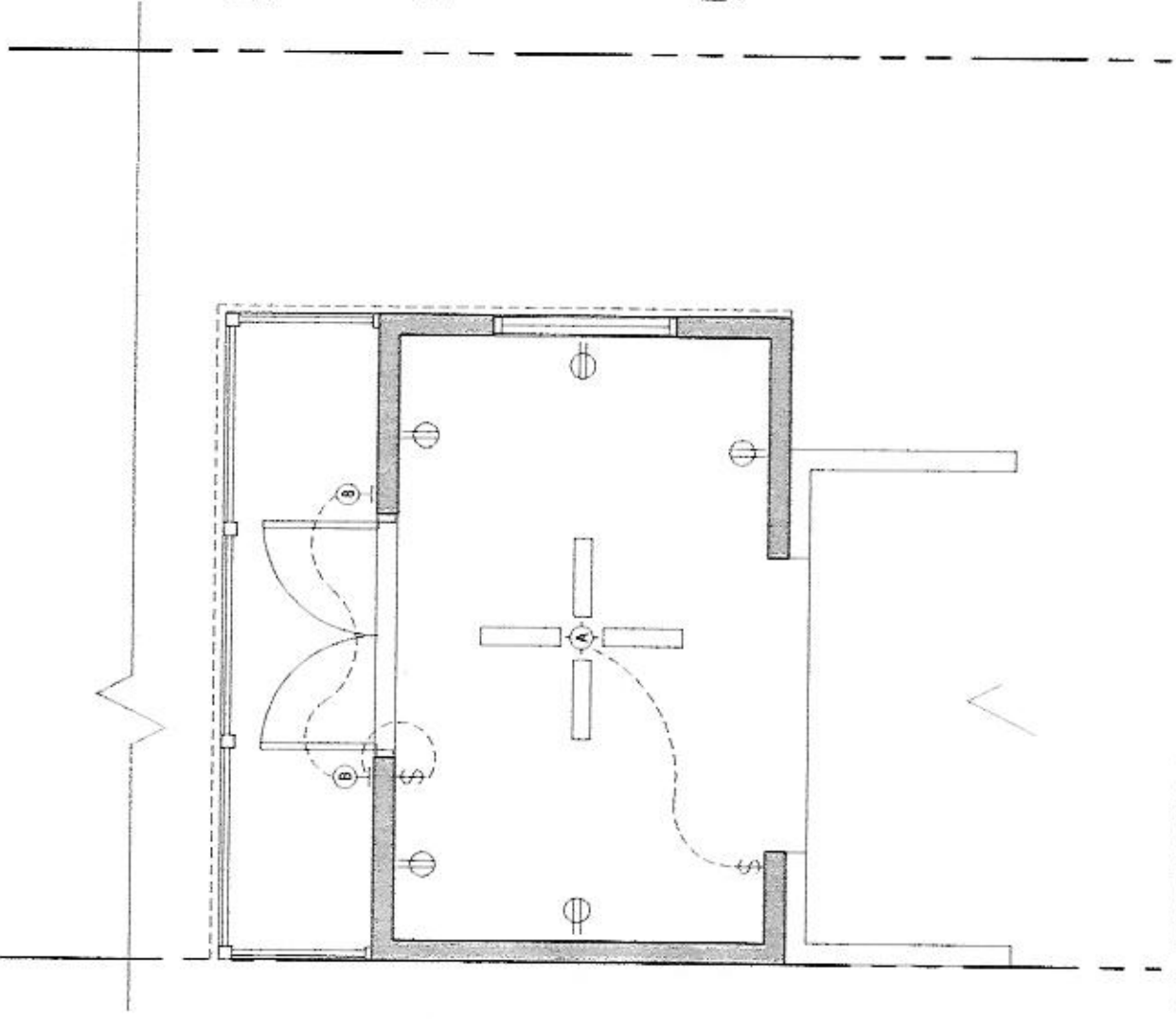
PROJECT NAME: 118 PARK ST, NE - SECOND STORY ADDITION

DESCRIPTION: AS NOTED

JOB NO: A-01

ISSUE NO: 1 OF 2

SHEET: 1 OF 2



ELECTRICAL SYMBOLS AND NOTES:

- ⚡ SINGLE POLE SWITCH
- ⊕ DUPLEX OUTLET

LIGHTING SYMBOLS:

- ⊕ CEILING FAN W/ LIGHT
- ⊕ EXT. GRADE WALL SCONCE

NOTES:

1. ALL ELEC WORK TO BE PERFORMED BY LICENSED MASTER ELECTRICIAN.
2. ALL WORK TO COMPLY W/ LOCAL CODES & THOSE OF THE IRC.

ELECTRICAL PLAN - 2ND STORY ADDITION

SCALE: 1/4" = 1'-0"

OWNER: PATRICIA A. SCHAUB DATE: 21 MAY 2008

PROJECT NAME: _____

DESCRIPTION: 1118 PARK ST, NE - SECOND STORY ADDITION ISSUE NO: _____

JOB NO: _____ DWG REF: _____ SCALE: AS NOTED SHEET: E-01

2 OF 2





D.C. TEACHERS FEDERAL CREDIT UNION

17842

LETTER OF AUTHORIZATION

To: Ms. Jerrily R. Kress, Director
Government of the District of Columbia
District of Columbia Office of Zoning
441 4th Street, NW, Suite 210
Washington, D.C. 20001

Ref: Edmonds Building
903 D Street, NE
Washington, D.C. 20002

Date: March 14, 2008

Dear Ms. Kress:

On behalf of the D.C. Teachers Federal Credit Union, the owner of the above referenced property, I hereby authorize Chelsea P. Ferrette to file and prosecute an application to the Office of Zoning and the Board of Zoning Adjustments, as appropriate.

Thank you for assistance in this matter.

Sincerely,

David A. McWilliams, Sr.
Chief Executive Officer

Cc: Cadre Legal, PLLC
Chelsea P. Ferrette, Esq.

RECEIVED
D.C. OFFICE OF ZONING
2008 JUN 13 PM 3:44

Form 120 — Exhibit 1
(Revised 04/29/02)

Case No.

BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

APPLICATION

Notice: [Click Here for Application Form Instructions](#)

Pursuant to Sections §3103.2 – Use Variance, §3103.2 – Area Variance and/or §3104.1 – Special Exception of Title 11 DCMR – Zoning Regulations an application is hereby made, the details of which are as follows:

Address(es)*	Square(s)*	Lot No(s)*	Zoning Districts*	Relief Being Sought*	Section No(s)*
901-903 D Street NE	0938	0809	R-4	Area Variance	3103.2

Present Use of Property:*	DC Teacher's Credit Union				
Proposed Use of Property:*	DC Teacher's Credit Union				
Owner of Property:*	DC Teacher's Credit Union			Telephone No.:	(202)547-4800
Address:*	901-903 D Street, NE	City:*	Washington	State:*	DC
				Zip:*	20001

Written paragraph specifically stating the "who, what, and where of the proposed action(s)". This will serve as the Public Hearing Notice:*

None received as yet.

Estimated Construction Cost:	\$0.00	Advisory Neighborhood Commission Single Member District(s):*	1A01
Date:*	06/10/2008	Signature:	<i>William Maiden</i>

* The Owner of the Property for which the application is made or his/her authorized agent. In the event an authorized agent files an application on the behalf of the Owner, a letter signed by the Owner authorizing the agent to act on his/her behalf shall accompany the notice of application.

To be notified of hearing and decision:
(Owner or Authorized Agent*)

Name:*	William Maiden c/o Maiden and Associates, AIA				
Address:*	4930 Wisconsin Ave., NW	City:*	Washington	State:*	DC
				Zip:*	20016
Phone No.:	(202)244-2600	Fax No.:	(202)244-7732	E-Mail:	wjmaiden@aol.com

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

Form 135 — Side 1
(Revised 03/15/02)

Case No.

ZONING SELF-CERTIFICATION FORM

Project Address(es)*	Square(s)*	Lot No(s)*	Zoning Districts*	ANC(s)/Single Member District(s)*
901-903 D Street, NE	938	809	R-4	6A

CERTIFICATION

The undersigned agent hereby certifies that the following zoning relief is required from the Board of Zoning Adjustment in this matter pursuant to:

Relief Sought*	<input checked="" type="checkbox"/> §3103.2 - Use Variance	<input type="checkbox"/> §3103.2 - Area Variance	<input type="checkbox"/> §3104.1 - Special Exception
Pursuant to Subsections	330.5		

Pursuant to 11 DCMR §3113.2, the undersigned agent certifies that:



- the agent is duly licensed to practice law or architecture in the District of Columbia;
- the agent is currently in good standing and otherwise entitled to practice law or architecture in the District of Columbia; and
- the applicant is entitled to apply for the variance or special exception sought for the reasons stated in the application.

The undersigned agent and owner acknowledge that they are assuming the risk that the owner may require additional or different zoning relief from that which is self certified in order to obtain, for the above-referenced project, any building permit, certificate of occupancy, or other administrative determination based upon the Zoning Regulations and Map. Any approval of the application by the Board of Zoning Adjustment does not constitute a Board finding that the relief sought is the relief required to obtain such permit, certification, or determination.

The undersigned agent and owner further acknowledge that any person aggrieved by the issuance of any permit, certificate, or determination for which the requested zoning relief is a prerequisite may appeal that permit, certificate, or determination on the grounds that additional or different zoning relief is required.

The undersigned agent and owner hereby hold the District of Columbia Office of Zoning and Department of Consumer and Regulatory Affairs harmless from any liability for failure of the undersigned to seek complete and proper zoning relief from the Board of Zoning Adjustment.

The undersigned owner hereby authorizes the undersigned agent to act on the owner's behalf in this matter.

Owners Signature		Owner's Name	D.C. Teacher's Credit Union
Agent Signature		Agent Name	Willie Maiden
Date*	03/13/2008	DC Bar No.	or Architect Registration No. 3656

OFFICE OF ZONING DETERMINATION
(DCMR Title 11 §3113.2)

Based upon review of the application and self-certification, this application is

Accepted for filing.

Referred to the Office of the Zoning Administrator, Department of Consumer and Regulatory Affairs, for determination of proper zoning relief required.

Rejected for failure to comply with the provisions of
DCMR Title 11 §3113.2; or
DCMR Title 11 Zoning Regulations.

Explanation

Signature:		Date	
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Jerrily R. Kress, FAIA - Director
District of Columbia Office of Zoning

441 4th Street, N.W. Ste. 210-S, Washington, D.C. 20001
(202) 727-6311 * (202) 727-6072 fax * www.dcoz.dc.gov

Architect
K. CLARENCE KELLEY, AIA

Architect
K. CLARENCE KELLEY, AIA
1000 ...
WASHINGTON, D.C. 20002

CONSTRUCTION DOCUMENTS
1000 ...
WASHINGTON, D.C. 20002

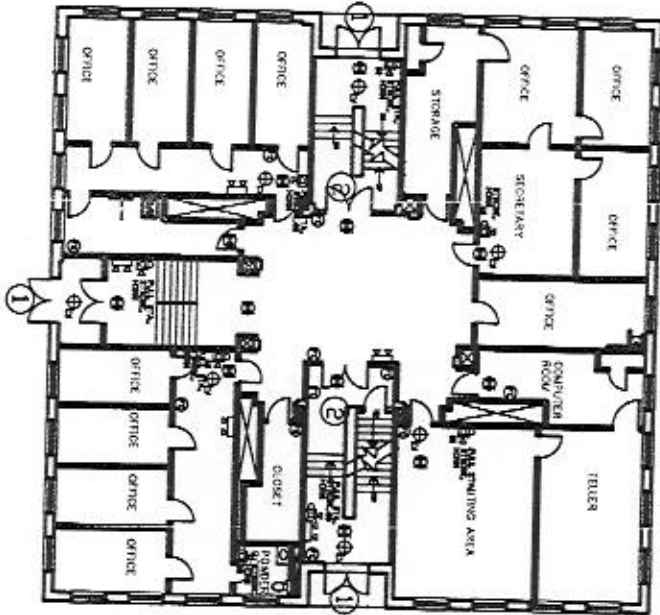
DC TEACHERS CREDIT UNION
3015 ...
WASHINGTON, DC 20002

Project Name / Address
RESIST TO EXISTING
INSTALLATION OF FIRE ALARM
NOTES:
WASHINGTON, DC 20002

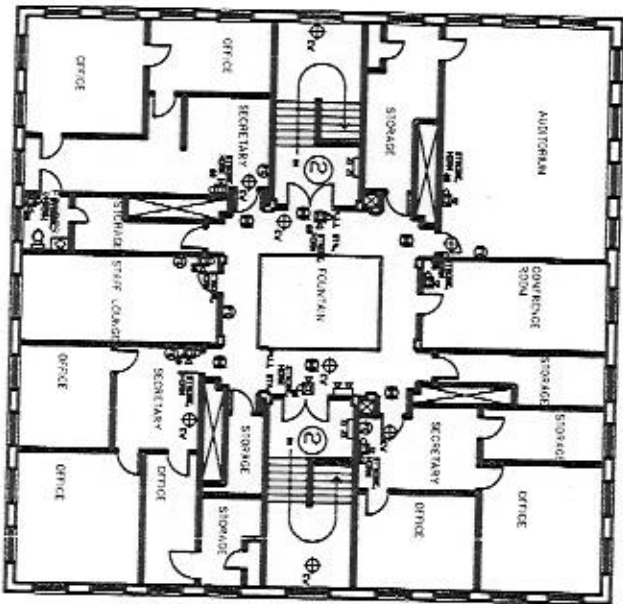
DATE: ...
BY: ...
FOR THE ARCHITECT:

NO.	DATE	REVISION
1		ISSUE FOR PERMITTING
2		ISSUE FOR CONSTRUCTION

FIRST FLOOR PLAN
AND
SECOND FLOOR PLAN



FIRST FLOOR PLAN
Scale 1/8" = 1'-0"



SECOND FLOOR PLAN
Scale 1/8" = 1'-0"

Sheet No. **A-2**

DATE: ...

BY: ...

FOR THE ARCHITECT:

**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

Re: Application of D.C. Teacher's Credit Union

**BZA Application No. (Previously Approved 16466):
Public Hearing:
ANC 6A**

**STATEMENT OF REASONS IN SUPPORT OF
AN APPLICATION FOR A USE VARIANCE TO ALLOW
THE CONTINUED USE OF THE FORMER
EDMONDS PUBLIC SCHOOL BUILDING
BY THE DISTRICT OF COLUMBIA TEACHERS FEDERAL
CREDIT UNION FOR 901-903 D STREET, N. E.**

This Statement of Reasons is submitted on behalf of the District of Columbia Teacher's Federal Credit Union, by its counsel, Chelsea P. Ferrette, Esq. and Cadre Legal pllc and its architect, Maiden & Associates in support of an application for the a use variance to allow the long standing use of the former Edmonds public school building as general offices by the District of Columbia Teachers Federal Credit Union (the "Applicant").

I.

NATURE OF RELIEF SOUGHT

This is an application pursuant to 11 DCMR § 3113 for a variance from the use provisions of 11 DCMR § 330.5 and 3103.2 to allow continued general office uses by a credit union in an R-4 District at the premises located at 901 – 903 D Street, N.E., at Lot 809 in Square 938 (the "Property").

II.

JURISDICTION

The Board of Zoning Adjustment (the "Board") has jurisdiction in this application pursuant to 11 DCMR § 3100.1.

III.

PROPERTY DESCRIPTION

The Applicant owns the Property located at the southeast corner of the intersection of Ninth and D Streets, N.E. in the Capitol Hill Historic District. The Property, constructed in approximately 1903, is improved with a two (2) story brick building with basement, a paved area used for accessory visitor and employee parking, and a small playground located at the southwest corner of the site adjacent to 9th Street. See District of Columbia Government Office of the Surveyor Site Plan (BZA Case File No. 16466) (hereinafter "Site Plan") and Site Photographs, attached as Exhibit A.

The Property has a lot area of 21, 254 square feet. The building occupies approximately 33% of the lot with a gross building area of 20,998 square feet. The building's main entrance is located on Ninth Street and features a prominent doorway capped by a cornice and arched second floor window. See Exhibit A.

The main vehicular entrance to the Property is through an asphalt driveway from Ninth Street, N.E. with an exit on to D Street. This access leads to an asphalt paved employee and visitor parking lot with twenty-four (24) full-size parking spaces at the rear and side of the building as shown on the Site Plan and Exhibits A. One parking space has been designated as community share parking space for use by Zipcar. All or part of four parking spaces were originally constructed by the school system in the public space along D Street but inside the existing sidewalk.

A. Prior Use of the Property as a School. [Prior, Current and Proposed Uses]

The Property was constructed in 1903 for use as a public elementary school known as the Edmonds School. After approximately eighty (80) years of use of the building as a public elementary school, the District of Columbia closed the Edmonds School. For more than 15 years, beginning in 1983, the Applicant leased the building from the District of Columbia Government's Associates for Renewal in Education, Inc. who held the Certificate of Occupancy on the building and operated the building as an early child development center after the closing of the Edmonds School. The Property has been used by the Applicant as a federally insured District of Columbia chartered credit union. After leasing the building, the Applicant purchased the Property from the District of Columbia Government as a surplus D.C. Public School site in late 1997. Under the Sales Agreement, the D.C. Public Schools were required to reasonably assist the credit union in obtaining any necessary zoning approvals. This purchase was approved by the D.C. Financial and Management Assistance Authority ("Control Board"). Since assistance from the D.C. Public Schools wasn't forthcoming, on March 29, 1999, on their own, the D.C. Teacher's Credit Union applied for a use variance from the Board of Zoning Adjustment which was granted on June 2, 1999. This application is for a renewal of the approval granted on June 2, 1999 for the continued use of the Property as a federal credit union in order to obtain the appropriate certificate of occupancy.

B. Surrounding Neighborhood.

The property is located north of Lincoln Park and south of Maryland Avenue, N.E. The property is located one block east of the C-2-A zone on 8th Street, N.E. between E and C Streets and in a neighborhood predominantly comprised of single-family row dwellings with a few

nonconforming apartment buildings and institutional uses, such as schools and churches. See BZA Case File Application No. 16466 and Site Plan. Specifically, directly across Ninth Street, N.E. on the southwest corner of Ninth and D Streets, N.E., is a church, The Way of the Cross Church of Christ, International.

Ninth Street is a four lane street paved with macadam, which extends from the Southwest Freeway and the Marine Barracks to Florida Avenue near Galludet University. D Street is also paved macdam and extends from the Massachusetts Avenue Near the Capitol to Tennessee Avenue, approximately 14 blocks east of the Capitol. Traffic on D Street is one-way eastbound. Unmetered parking is available on both sides of the street.

C. Continued Use of the Property.

The Applicant, by the subject application, proposes to continue its long-standing use of the Edmonds School building as offices of a credit union and for ancillary administrative offices. At present, the Applicant employs seventeen (17) persons who work at the site. The office of hours for employees are 9:00 a.m. to 5:30 p.m., Monday through Friday. The customer hours of operation of the credit union are from 10:00 a.m. to 4:30 p.m., Monday through Thursday and Friday until 5:30 p.m. The credit union is not open on weekends or holidays. Very few people come to the credit union because of the widespread use of direct deposit payroll deduction and other electronic and internet banking services. More than half of all transactions are completed telephonically or electronically.

A District of Columbia Police substation is also located in the Edmonds building. This important community and public safety use is proposed to continue. The presence of the credit union and the more recent arrival of the Police substation have eliminated the loitering, drug

dealing and use, and related criminal activity that used to plague the neighborhood. The credit union also makes available at no charge its parking lot to the Way of the Cross Church of Christ, International located immediately across D Street for evening and weekend use by its parishioners to reduce neighborhood parking congestion. The credit union also routinely makes its small auditorium available to community and civic groups for meetings at no charge.

D. Parking Provisions.

The Edmonds Building is located within the Capitol Hill Historic District and is a contributing structure within such historic district. Thus, pursuant to Sections 2100.5 and 2200.5 of the Zoning Regulations, no parking or loading facilities are required to be provided. *See* Parking and Loading Waiver, BZA Case File Application No. 16466. However, notwithstanding the foregoing, the Applicant has since its inception provided more than twenty-four (24) parking spaces on the site for visitors and employees and proposes to continue to provide such spaces. In addition, there are several on-street parking spaces which are located immediately adjacent to the Edmonds Building and which are occasionally used by members of (or visitors to) the credit union.

Loading requirements are few and infrequent but, when required, loading is provided on site in an area adjacent to the rear side of the building. Based on many years of experience by the Applicant at the Edmonds Building, the off-street and on-street parking provided is more than adequate for all visitors and employees and the loading arrangements are more than satisfactory.

E. Zoning of the Property.

The Property is zoned R-4 (row dwellings, conversions and apartments). *See* Zoning Map attached in BZA Case File Application No. 16466.

The R-4 zone classification permits a variety of matter of right uses, including, for example, child development centers for up to fifteen (15) individuals; one-family row dwellings; hospitals, sanitariums or clinics for humans; private clubs, lodges, fraternity houses, sorority houses or dormitories, rooming and boarding houses, and museums.

IV.

JUSTIFICATION FOR VARIANCE

An application for a use variance must meet the following requirements:

- (1) Unique physical aspect or “other extra-ordinary or exceptional situation or condition of a specific piece of property;”
- (2) Undue hardship; and
- (3) No harm to the public or to the zone plan.

Monaco v. BZA, 407 A. 2d 1091, 1096 (D. C. 1980); National Black Child Development Institute v. BZA, 483 A.2d 687, 690 (D.C. 1984).

The extraordinary or exceptional situation or condition of a specific piece of property which justifies the variance in this application arises out of the property as improved. *See Clerics of St. Viator v. D.C. Board of Zoning Adjustment*, 320 A.2d 291 (D.C. 1974). The subject property is improved with a two (2) – story brick building (with basement) which was constructed as, and used for approximately eighty (80) years as, a public elementary school building. As a result, the building contains (i) large rooms (previously used as classrooms), (ii) wide stairwells and (iii) large, open interior areas. *See* BZA Case File No. 16466. The building was (and is) readily adaptable as offices of a credit union because the Applicant was (and is) able to use the building with free interior and no exterior alterations, although the credit union spent

more than a million dollars making minor changes and correcting long-standing and substantial code violations and neglect. By D.C. law, use (and users) of the former school building was limited and has to meet specific criteria and public approval. Under the original lease and later the purchase, D.C. Public Schools were required to give preference to a school related use or user. In this case, the credit union for the D.C. school teachers met this criteria. Approval of the sale required a public hearing and determination that the property was in fact surplus. On the other hand, converting the building to matter-of-right uses would be prohibitively expensive and therefore infeasible. [In addition, many of the matter-of-right uses, such as a hospital, church, museum, or CBRF, although permitted by the Zoning Regulations, might have an adverse impact on the surrounding neighborhood from a traffic and parking standpoint].

Given the Credit Union's investment in the building and the community and the lack of any reasonable alternatives for its or anyone else's use of this unique building, strict application of the Zoning Regulations would impose an undue hardship on the Applicant, the community and the District of Columbia.

The relief sought by the Applicant can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan because of (a) its low-intensity use, (b) the adequacy of on-street and off-street parking and (c) its more than twenty-five year history of being a "good neighbor" to the surrounding community. The Applicant restored a decaying eyesore in its community with community involvement. The Applicant has made its parking spaces available for use by a local church and its building available for community meetings.

Lastly, the location of a District of Columbia Police substation in the Edmonds building provides additional safety to the surrounding community.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Applicant's Pre-Hearing Statement was mailed, first class, postage prepaid, this 13th day of June 2008 to:

Advisory Neighborhood Commission 6A
1132 4th Street, N.E.
Washington, D.C. 20002

Attn:

A handwritten signature in cursive script, reading "Chelsea P. Ferrette", written over a horizontal line.

Chelsea P. Ferrette

No. B 150755

SLRA-17
(Rev. 6/86)

District of Columbia Government
Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration Zoning Division
P.O. BOX 37200 - Washington, D.C. 20013-7200

CERTIFICATE OF OCCUPANCY

August 13, 1988
(date)

Permission is hereby granted to ASSOCIATES FOR RENEWAL IN EDUCATION, INC.
to use suite(s) N/A on the first & basement floor(s)
of the building located on lot(s) 809 square 938
known as premises 901 D Street, Northeast for the following
purpose(s) Child Development Center: 48 children/ages 2 to 12 yrs.
5 teachers. Not sexually oriented. [su]

BZA #: _____ EXPIRATION DATE: _____

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES
AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, ONLY
for the premises, or part thereof, and for the purpose(s), indicated above, and IS NOT
TRANSFERABLE to another person or premises under ANY conditions. ANY CHANGE
in the type of business, ownership of business, or part of premises used therefor, will
render this Certificate VOID and a NEW Certificate must be obtained.

ZONE R-4 FEE \$ 27.00
Donald G. Murray, Acting Director
By: *[Signature]*
Designee

OFFICE COPY

BZA Application No. _____ (Previously approved Case No. 16466)
D.C. Teachers Federal Credit Union
901-903 D Street, N.E., Square 938, Lot 809

Site Photographs



Building of 901-903 D Street, N.E.



Front of 901-903 D Street, N.E.

BZA Application No. _____ (Previously approved Case No. 16466)
D.C. Teachers Federal Credit Union
901-903 D Street, N.E., Square 938, Lot 809

Site Photographs



Back of 901-903 D Street, N.E. (Parking Lot, edge of Playground)



Back of 901-903 D Street, N.E. (Parking Lot)

BZA Application No. _____ (Previously approved Case No. 16466)
D.C. Teachers Federal Credit Union
901-903 D Street, N.E., Square 938, Lot 809

Site Photographs



Side of 901-903 D Street, N.E. (Side Parking; Looking towards D Street, N.E.)



Back of 901-903 D Street, N.E. (Back of building parking lot)

BZA Application No. _____ (Previously approved Case No. 16466)
D.C. Teachers Federal Credit Union
901-903 D Street, N.E., Square 938, Lot 809

Site Photographs



Back of 901-903 D Street, N.E. (Back of building parking lot, parking spaces)



Side Entrance of 901-903 D Street, N.E. (Front and Side Parking Lot)

BZA Application No. _____ (Previously approved Case No. 16466)
D.C. Teachers Federal Credit Union
901-903 D Street, N.E., Square 938, Lot 809

Site Photographs



Side of 901-903 D Street, N.E. (Parking Lot)



Front of 901-903 D Street, N.E. (Corner of 9th and D Street N.E.)

BZA Application No. _____ (Previously approved Case No. 16466)
D.C. Teachers Federal Credit Union
901-903 D Street, N.E., Square 938, Lot 809

Site Photographs



Front of 901-903 D Street, N.E. (Facing the front parking spaces)



Front of 901-903 D Street, N.E. (Front parking spaces, looking towards 9th Street, Down D Street)

BZA Application No. _____ (Previously approved Case No. 16466)
D.C. Teachers Federal Credit Union
901-903 D Street, N.E., Square 938, Lot 809

Site Photographs



Looking onto the 900 block of D Street, N.E.



Looking onto the 900 block of D Street, N.E.