



## MEMORANDUM

**TO:** Board of Zoning Adjustment

**FROM:** Jennifer Steingasser, Deputy Director, Development Review & Historical Preservation

**DATE:** June 1, 2010

**SUBJECT:** **BZA Application No. 14619** – Request to modify an approval condition of the special exception that established the existing community center use at 4201 Lenore Lane NW

### I. SUMMARY RECOMMENDATION

The Office of Planning (OP) recommends approval of this request in accordance with § 3129.7 to continue the existing community center use subject to the existing conditions as modified below (changes shown in **bold**):

- A. **The membership of the Lenore Pool and Tennis Club, or any successor entity that will use the recreational facilities shall be limited to no more than twenty families. No more than three 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 the site plan submitted with the application.**
- 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.

This application requested relief under § 210 of the Zoning Regulations which probably was intended to be § 209 Community Centers (R-1). Upon further review, OP found that the more applicable provision for modifying a condition of an existing Board of Zoning Adjustment (BZA) order is § 3129.7. Accordingly, the analysis in this report is based on this provision.

### II. AREA AND SITE DESCRIPTION

Address:	4201 Lenore Lane NW
Legal Description:	Square 2246, Lot 0027
Ward:	3
Lot Characteristics:	The subject 18,000 square-foot lot is bordered by Lenore Lane and Linnean Avenue NW to the north and west, respectively. It is terraced to form a plateau for the existing facilities.

Existing Development:	The property is developed with a single tennis court and a 20 x 55-foot swimming pool; a two-story bathhouse with changing, shower, toilet, maintenance and storage areas that is surrounded by a deck; and no onsite parking. This appears consistent with the layout approved under the current order (refer to Figure 1).
Zoning:	FH-TSP/R-1-A – community center uses are allowed subject to special exception approval.
Historic District:	None.
Adjacent Properties:	Undeveloped property to the southeast and a lot developed with a large one-family dwelling to the northeast. There are no curb cuts along the street frontages and no access to a rear alley.
Surrounding Neighborhood Character:	Low-intensity residential to the north, east and west in the FH-TSP/R-1-A district.

### III. APPLICATION IN BRIEF

**Applicant:** Lenore Pool and Tennis Club (successor to the Lenore Partnership)

**Proposal:** The applicant is seeking to modify Condition A of the existing special exception order that limited to 15 the number of families that could be members of the community center. The condition also states that no more than two member-families may reside in excess of 1,000 feet from the site (refer to Exhibit B).

In the last 22 years the number of families with children who reside within 1,000 feet of the site, and are interested in using the center facilities has exceeded expectations. The applicant would now like to amend Condition A to:

- increase the maximum membership from 15 to 20 families; and
- increase the number of families that may reside beyond a 1,000-foot perimeter to 3.

No physical or operational changes were proposed in this application.

For the ease of administration, OP also recommended modifying Condition D to reference the site plan in this application instead the identical layout stored with the original case record in the Office of Zoning archive. The applicant agreed to this change.

Section 3129.7 allows for modification of approval conditions and other aspects of a final order at any time, subject to a public hearing before the BZA. Accordingly, the applicant submitted this application for Board consideration.

### IV. ZONING ANALYSIS

#### Consistency with § 209

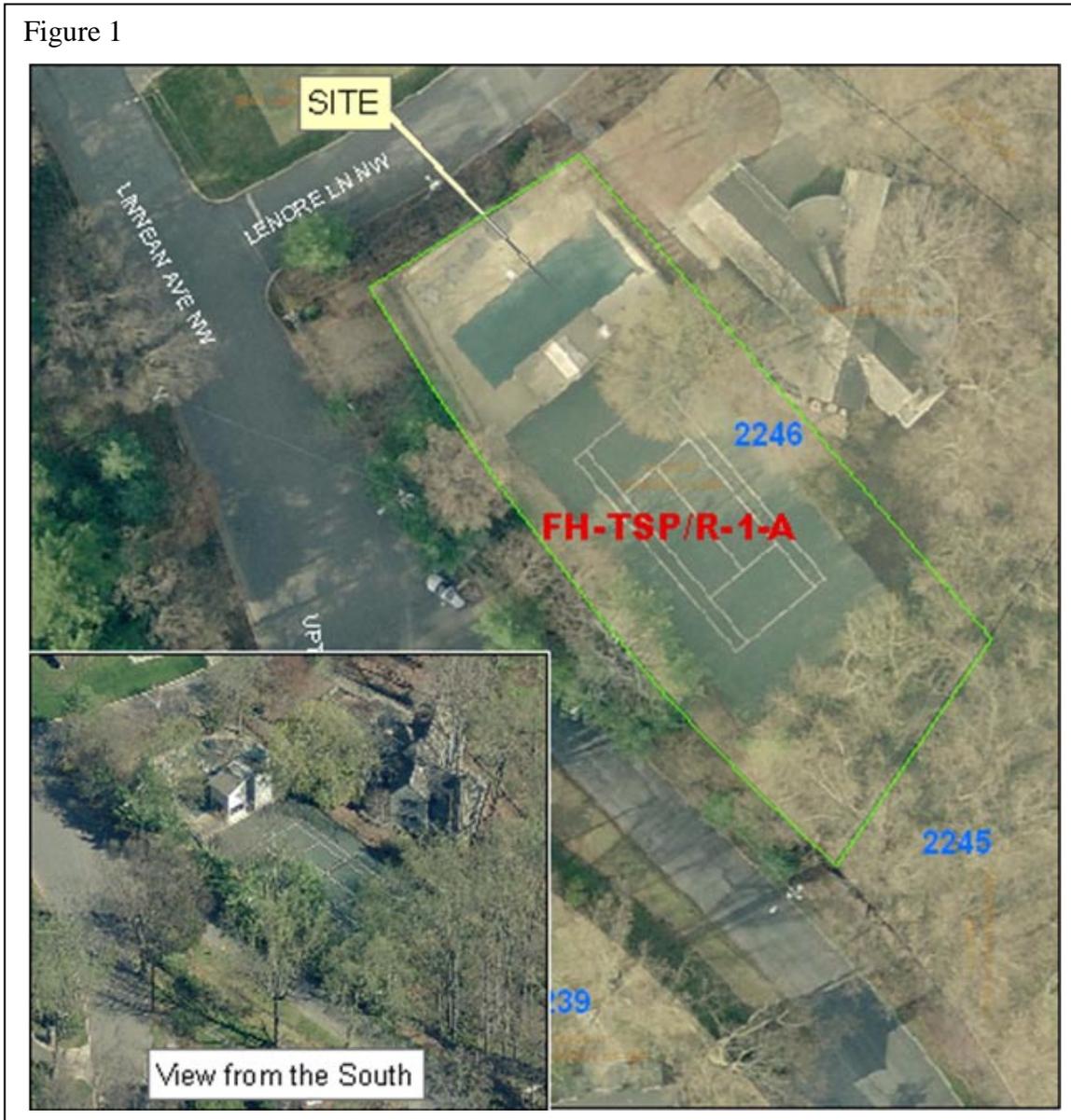
*3129.7 A request to modify other aspects of a Board order may be made at anytime, but shall require a hearing.*

The applications for a BZA public hearing on this request was submitted on April 1, 2010.

*3129.8 The scope of a hearing conducted pursuant to § 3129.7 shall be limited to impact of the modification on the subject of the original application, and shall not permit the Board to revisit its original decision.*

Based on the submission and a conversation with the applicant, the requested and proposed modifications of the current approval conditions would have no impact on the original community center application.

Figure 1



**V. COMMUNITY COMMENTS**

According to the applicant, Advisory Neighborhood Commission (ANC) 3F unanimously voted to support this request during a regularly scheduled meeting on May 17, 2010.

**VI. RECOMMENDATION**

OP recommends approval of this request in accordance with § 3129.7 to continue the existing community center use, subject to the modification proposed by the applicant and one other change.

Arthur Jackson, Case Manager

JS/afj

Attachment: Exhibit 1 Original Approval Conditions of Order 14619 (the current approval order)

**Original Approval Conditions of  
BZA Order 14619**

- 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.
- E. The layout of the recreational facilities shall be as shown on Exhibit Number 3 of the record.
- F. 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.
- G. Evergreen landscaping shall be provided along the boundaries of the site bordering public rights-of-way to screen the facilities from the streets.