

**BURDEN OF PROOF:**

**BEYOND LIGHT, Inc**

**4212 Livingston Road SE**

The noted property is currently being used for living purposes (1) Person. The property is inherent property left by my deceased father, who was married during the time of his death. LOIS FLETCHER is my Step mother and she is in accordance of having the property reverted to a” MALES TRANSITIONAL PROGRAM” which further support BEYOND LIGHT, Inc VISION.

BEYOND LIGHT, Inc is a 501 c 3 BEHAVIORAL HEALTH PROGRAM. The property mentioned will be used for the purposes of Uplifting and empowering Our MALES through a 90 DAY WORK THERAPY MALE TRANSITIONAL program. The clients must be employed; attended all in-house groups and meet with their primary counselor and Care Coordinator weekly for on-going stabilization and manageability: Take urinalysis as directed. Meet with other providers as indicated; medical/mental health. Rules: The facility has a back area for smoking purposes (Only), Clients are not permitted to drive and or access any vehicle (WORK RELATED ONLY) No female company, unless in a therapy section with a provider. Instructed to leave the facility to and from work. No hanging out in the neighborhood and /or loud music in the facility. No Drug and or Alcohol use, will result in termination (ASAP) The program is referral based through COURT SERVICE SUPERVISION AGENCY (CSOSA) and DEPARTMENT OF BEHAVIORAL HEALTH (DBH) **NO WALK-IN POLICY.**

The noted population does not proposed any threat to the neighborhood. The clients whereabouts will be monitored daily. Supervision in the facility (24) hours a day; seven days a week

There are no constructional issues; clients are not permitted to drive during their 90 day treatment.

The property will not need a building permit. The structure will not change. Lot 6215 and 0015 is the only required space. Across from the building, there is a park for the community. Clients are allowed to cook-out and invite family and have guests in that area, as so does the community as a whole. The noted property will house 8-10 clients. There will be no public nuisances and or any special accommodation. Due to the original structure, the property is not handicap assessable. Thus, WORK THERPAY only client must be employed. A GOVERNMENT OF THE DISTRICT OF COLUMBIA Board of Zoning Adjustment

This self-certified application was submitted May, 1, 2018, by Tywania Fletcher-Langley (“Applicant”), the owner of the property that is the subject of the application. The application requests a special exception under section X,901.2 of the Zoning Regulations to allow development of a new four-unit apartment building in the R-A-1- district at 4212 Livingston Road SE (Square 6219, Lots 0015 and 61).

Party Status. In addition to the Applicant, ANC 8D-03 was notified December 12, 2017 requesting to be scheduled to meet with the homeowners of that ward within 200 feet BZA APPLICATION NO. 19783

Applicant’s Case. The Applicant presented evidence and testimony describing plans to open a 8-10 unit MALE transitional Program.(Nonstructural) with public street parking spaces provided. Clients will only use back yard with in the lot and square footage in a lot at the rear of the property. The Applicant indicated there is no public alley at the rear of the subject property, consistent with the requirements of the District Department of Transportation, to provide vehicular access to the parking lot. According to the Applicant, approval of the requested special exception would improve the current condition of the subject property and would not adversely affect the use of neighboring property.

Government Reports. By memorandum dated May 8, 2007, the Office of Planning (“OP”) recommended approval of the requested special exception, concluding that the project would satisfy the requirements of sections 353 and 3104.1. OP cited policy support in the District Elements of the Comprehensive Plan for the National Capital (“Comprehensive Plan”) for new infill housing, and noted that “an adequate number of Treatment programs and Oxford housing and transitional housing and public schools” were located within 1-5 miles of the proposed development to accommodate future clients who might reside there.

By memorandum dated July 3, 2007, the District Department of Transportation (“DDOT”) indicated no objections to the Applicant’s proposal, provided that the Applicant would construct the public alley at the rear of the subject property to DDOT standards to give access to the project’s parking lot. DDOT noted that the alley is currently unimproved and not in a condition suitable for automobile traffic.

ANC Report. Advisory Neighborhood Commission 8-D-03 did not submit a written report in this proceeding. It therefore could not be given great weight by the Commission.

BZA APPLICATION NO. 19783 PAGE NO. 3

## FINDINGS OF FACT

The Subject Property and Surrounding Area

1. The subject property is located at 4212 Livingston Road SE., on the west/ east side of 3<sup>rd</sup> Street near its intersection with Livingston Road (Square 6219, Lots 0015). The parcel is trapezoidal and has an area of 4,091 square feet, with approximately 50 feet of frontage on 3<sup>rd</sup> Street. The parcel extends 100 feet deep and is almost 32 feet wide at the end of the street 500.00 feet and or rear lot line.
2. There is no public alley, abuts the subject property at the rear. There is no alley extends through the square from Livingston Road on the north to the south.
3. The site is improved with parks and new development and does not contains parked or abandoned vehicles.
4. The subject property is located in Ward 8 in the Anacostia neighborhood. The area in the vicinity is developed primarily with moderate-density apartment buildings, one-family detached dwellings, and row dwellings. Two apartment buildings on adjoining lots directly south of the subject property, located at 719 and 711 49th Street N.E., contain seven and 14 units, respectively. An irregularly shaped vacant lot abuts the subject property to the north. Several public elementary, middle, and high schools are located within a mile of the subject property.
5. Livingston Road , located one block south of the subject property, is not a major traffic arterial and is not served by Metrobus routes that provide connections to the 3<sup>rd</sup> street and/or Metrorail stations.
6. The future land-use map of the Comprehensive Plan designates the subject property as moderate-density residential Community Based institutional, characterized predominantly by row dwellings and garden apartments as well as a mix of one-family detached dwellings and low-rise apartment buildings.

#### Applicant's Project

7. The Applicant plans to construct a Family dwelling into a MALE Work Therapy Transitional program , three stories with cellar, approximately 38 feet in height. Each floor, including the cellar, will contain a two person-bedroom unit. No parking spaces will be provided in a surface lot at the rear of the property, accessible from the public alley.

8. The Single Family Dwelling building will be 125.28 feet wide and 21.88 feet long (Scale 1:20)The property will have a nine-foot side yard on the south side,. There is side yard, approximately nine feet at its most narrow, will be provided on the north side of the building. The rear yard will be 46 feet deep. (ATTACHED)

9. The Applicant will provide landscaping on the one side of the property, including sod ground cover and small trees and shrubbery around the building. The parking area (pubic) evergreen hedge along the western side and cinderblock walls, four feet tall, along the north sides. A trash receptacle will be provided on a concrete pad located at the rear of the building, accessible by a three-foot-wide paved walkway leading to the back yard area; trash will be removed through DC Government required area.

10. The Applicant's lighting plan designates low-mounted pole fixtures to avoid adverse light impacts on neighboring property.

11. The building will have limited impacts on the provision of air and light to adjacent properties.

#### Harmony with Zone Plan

12. The R-A-1 districts are general Residence districts designed to permit flexibility of design by permitting, in a single district, all types of urban residential development if they conform to the height, density, and area requirements. 11 DCMR § 350.1. The R-A1 district permits a low height and density. 11 DCMR § 350.2.

13. The Applicant's proposal will satisfy matter-of-right requirements in the R-A-1 zone for parking and for building height, setbacks, and floor area ratio.

14. The Board credits the conclusion of the Office of Planning that the requested special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Map, as well as with provisions of the Comprehensive Plan and future land-use map. The Single family dwelling home will be in character with the mix of one-family dwellings and small apartment buildings presently located in the vicinity of the subject property

Respectfully submitted,

Tywania Fletcher-Langley

Petitioner:

4212 Livingston Road SE

Washington DC 20032

202-236-4852