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Via E-mail Delivery

Board of Zoning Adjustment
441 4th Street, NW
Suite 210S
Washington, DC 20001
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18291

2012 JAN -3 PM 1:27
OFFICE OF ZONING

Re BZA Application No 18291, 1138-1140 6th Street, N E , Square 829, Lot 65

Dear Members of the Board,

I am writing on behalf of the Applicant in BZA Case No 18291 to supplement and update the Applicant's Pre-Hearing Statement filed on December 6, 2011. As a result of late-breaking developments, the case for variance approval has become stronger, as discussed briefly below.

On December 14, 2011, the Zoning Administrator provided his determination that child development center use was permitted as a matter-of-right at the subject location, since the building on the subject property was originally built, and has been continuously used, as a church. For licensing and logistical purposes, the available space in the existing structure – in the old sanctuary – will support a Child Development Center of approximately fifty (50) children. There is, however, an additional zoning requirement which uniquely impacts § 330.5(b) child development centers, that being the requirement that all play space required by licensing be provided on-site (in contrast to all other matter-of-right child development centers, which may provide required play space off-site). The licensing regulations require that such required play space include either outdoor or rooftop play space. Valerie Ware, the Program Manager for Child Care Licensing, has confirmed to the Applicant that the proposed second-floor addition will meet the licensing requirements for outdoor/rooftop play space.

As a result of the other unique conditions affecting the subject property - detailed in the Pre-Hearing Statement - the provision of the required outdoor/rooftop play space presents a significant practical difficulty for the matter-of-right child development center use. The amount of available outdoor play space is severely limited by the location of the building on the property and the internal driveway, among other factors. The second-story addition will provide the child development center's required play space, which cannot reasonably be provided anywhere else on the subject property.

We believe this additional information significantly strengthens an already strong variance argument, and we respectfully request that the Board consider favorably this additional information. Thank you.

Sincerely,

Martin P. Sullivan

Martin P Sullivan

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18291

EXHIBIT NO. 33

Board of Zoning Adjustment
District of Columbia