

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

**Application of The Fishing School
4720 Meade Street, NE, Washington, DC**

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PRELIMINARY STATEMENT OF COMPLIANCE WITH BURDEN OF PROOF

I. Introduction

The Fishing School (the "Applicant") seeks special exception relief under sections 3104.1 and 205 of the Zoning Regulations and modification of Order No. 18042 pursuant to section 3129.7 of the Zoning Regulations, in order to expand and existing approved child development center operating at premises 4737 Meade Street, NE (Square 5156, Lot 70) (the "4737 Property") to include property immediately across the street, at premises 4720 Meade Street, NE. (Square 5160, Lot 817) (the "4720 Property"). The 4720 Property is located in a R-2 Zone and includes approximately 4,000 square feet of land area. The Applicant proposes to construct improvements on the 4720 Property to serve as administrative and accessory meeting purposes for the staff and parents of students at the Fishing School, which is operated at the 4737 Property, also zoned R-2, pursuant to the Board's approval in Order No. 18042.

Pursuant to section 3113.8 of the Zoning Regulations, the Applicant will file its Statement of the Applicant with the Board of Zoning Adjustment ("Board" or "BZA") no fewer than 14 days prior to the public hearing for the present application. In its prehearing statement, and at the public hearing, the Applicant will provide evidence and testimony demonstrating its compliance with the special exception standards of section 205. This preliminary statement of compliance is submitted in accordance with the Board's application process.

The Fishing School has a twenty-one year history of developing free programs and services to assist children and parents in gaining the basic skills necessary to succeed in life. The Applicant's afterschool and summer programs are designed to support the learner with rigorous academic preparation, opportunities to apply skills through arts and science activities and physical recreation to help children ages six to fourteen fully develop.

The Applicant appreciates that in order to make a lasting change in the lives of the children served at the Fishing School, parents must also be supported through programs and services. To that end, the Applicant proposes to expand the services it provides as part of its approved child development center, through construction of the Fishing School's Family Support Center at the 4720 Property. This center will be utilized to create events and activities that support at-home reading, provide homework help, skill-building workshops, create parent resources, create parent networks and generally engage parents in dialogue about ways to enhance their child's academic success.

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II. Property Description

The 4720 Property consists of a rectangular lot located at the northwest corner of the intersection of Meade Street, NE, and 48th Street, NE. A public alley is located to the rear of the property. The Fishing School is located immediately to the south and across Meade Street. Immediately to the east and across 48th Street from the 4720 Property is the Ron Brown Middle School. To the immediate west of the 4720 Property is a single family dwelling.

The 4720 Property is currently improved with an unoccupied and dilapidated one-story plus basement cinder block single family dwelling. The Applicant proposes to demolish these improvements and to construct on the site a new two-story plus basement multi-function building to provide support for the mission and activities of The Fishing School. The proposed new building has been designed to complement and extend the optimistic design themes of the Applicant's headquarters across Meade Street. The facility will match the scale of the surrounding single-family dwellings. It will feature inviting porches at both the front and the rear and provide easy access from the rear parking area to those with disabilities. The space inside will include a reception area, multi-purpose rooms for meetings and presentations, computer workstations and offices for staff. Copies of conceptual drawings for the Family Support Center proposed to be constructed on the 4720 Property are attached.

III. Compliance with Burden of Proof for Special Exception Relief

Pursuant to sections 3104.1 and 205, the Board may grant special exception relief to allow a child development center in a residential district, provided that certain requirements are met. Further, pursuant to section 3129.7, the Board may approve a request for modification of a Board order at any time, but a hearing is required. As discussed herein, and as will be further demonstrated in its prehearing statement and testimony before the Board, the Applicant satisfies the requirements of section 205, and a modification of the Board's approval issued in Order No. 18042 is appropriate here to allow expansion of the approved child development center to include the Applicant's proposed use of the 4720 Property in support of its overall mission as a child development center.

A. The Center Shall Be Capable of Meeting All Applicable Code and Licensing Requirements (205.2)

The Applicant is a licensed child development facility and operates pursuant to validly-issued certificate(s) of occupancy.

B. The Center Shall Be Located and Designated to Create No Objectionable Traffic Condition and No Unsafe Condition for Picking Up and Dropping Off Children (205.3)

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The Applicant is a community-oriented facility operating at this location since 2010. The proposed modification before the Board does not contemplate regular use of the 4720 Property by children attending the Fishing School. Rather, the 4720 Property will be utilized primarily by staff and parents.

C. The Center Shall Provide Sufficient Off-Street Parking Spaces to Meet the Reasonable Needs of Teachers, Other Employees, and Visitors (205.4).

Adequate parking is provided for staff at the rear of the 4720 Property.

D. The Center, Including any Outdoor Play Space Provided, Shall Be Located and Designed So That There Will Be No Objectionable Impacts on Adjacent or Nearby Properties Due to Noise, Activity, Visual or Other Objectionable Conditions (205.5)

As noted above, the 4720 Property is intended to be utilized primarily in an accessory capacity to the approved child development center operating at the 4737 Property and will be utilized by staff and parents for meetings and presentations, computer workstations and offices. As such, the Applicant does not anticipate any objectionable impacts of the proposed use upon adjacent or nearby properties. Indeed, the redevelopment of the 4720 Property should result in a dramatic improvement to this prominent intersection.

E. The BZA May Require Special Treatment in the Way of Design, Screening of Buildings, Planting and Parking Areas, Signs, or Other Requirements as It Shall Deem Necessary to Protect the Adjacent and Nearby Properties (205.6)

The 4720 Property is a corner property, with frontage on two streets and a public alley.

F. Any Off-Site Play Area Shall Be Located so as Not to Result in Endangerment to the Individuals in Attendance at the Center in Traveling Between the Play Area and the Center Itself (205.7)

The Applicant does not anticipate a play area as part of its Family Support Center at the 4720 Property.

G. The Board May Approve More Than One Child Development Center in a Square of Within One Thousand Feet of Another Child Development Center Only When The Board Finds That The Cumulative Effect of Those Facilities Will Not Have an Adverse Impact on The Neighborhood Due to Traffic, Noise, Operations, or Other Similar Factors (205.8.)

The Applicant is not aware of another licensed child development center within one thousand feet of the 4737 Property.

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H. Before Taking Final Action on an Application for Use as a Child Development Center and/or Elderly Day Care Center, the Board Shall Submit the Application to the D.C. Departments of Public Works and Health, the D.C. Office on Aging and the D.C. Office of Planning, for Review and Written Reports (205.9.)

The Applicant acknowledges that the application will be referred to the appropriate agencies.

Base on the foregoing, the Applicant meets the standards of sections 3104.1, 205, and 3129.7 to merit expansion of the approved child care center to include the Applicant's proposed accessory use of the 4720 Property as a family support center as described above. No increase in approved number of students is requested as part of this application. The Applicant requests an increase in number of staff to include six new staff members at the 4720 Property.

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