

BEFORE THE ZONING COMMISSION AND
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

FORM 129 – ADVISORY NEIGHBORHOOD COMMISSION (ANC) REPORT

Before completing this form, please review the instructions on the reverse side.

Pursuant to §§ 3012.5 and 3115.1 of Title 11 DCMR Zoning Regulations, the written report of the Advisory Neighborhood Commission (ANC) shall contain the following information:

IDENTIFICATION OF APPEAL, PETITION, OR APPLICATION:

Case No.:	18392	Case Name:	Application of Betty J. Williams
Address or Square/Lot(s) of Property:	5350 Chillum Place, NE Square 3751, Lots 138		
Relief Requested:	302; 205; 3104		

ANC MEETING INFORMATION

Date of ANC Public Meeting:	07 12 5 1 12	Was proper notice given?:	Yes ☒	No ☐
Description of how notice was given:	mailed notices and website announcement			

Number of members that constitutes a quorum:	6	Number of members present at the meeting:	8
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MATERIAL SUBSTANCE

The issues and concerns of the ANC about the appeal, petition, or application as related to the standards of the Zoning Regulations against which the appeal, petition, or application must be judged (a separate sheet of paper may be used):

see letter attached

The recommendation, if any, of the ANC as to the disposition of the appeal, petition, or application (a separate sheet of paper may be used):

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18392

EXHIBIT NO. 30

2013 AUG 1 AM 8:40
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 D.C. OFFICE OF ZONING

AUTHORIZATION

ANC	5A	Recorded vote on the motion to adopt the report (i.e. 4-1-1):	7-25-12-support child development center 6-2-0
Name of the person authorized by the ANC to present the report:		Patricia Roberts	
Name of the Chairperson or Vice-Chairperson authorized to sign the report:		Janice Grant	
Signature of Chairperson/ Vice-Chairperson:		Date:	8/29/12

ANY APPLICATION THAT IS FOUND TO BE INCOMPLETE MAY NOT BE ACCORDED "GREAT WEIGHT" PURSUANT TO
11 DCMR §§ 3012 AND 3115.

Board of Zoning Adjustment
 District of Columbia
 CASE NO. 18392
 EXHIBIT NO. 30



ADVISORY NEIGHBORHOOD COMMISSION 5A

SLOWE SCHOOL DEMOUNTABLE

1322 Irving Street NE Washington, DC 20017

Phone: (202) 635-6563 • Fax: (202) 635-6565 • Website: anc5A.org

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OFFICERS

Janae Grant
Chairperson

Timothy Thomas
Vice Chairperson

Shirley Riven Smith
Treasurer

John Feeley, Jr.
Recording Secretary

Robert King
Parliamentarian

To: Lloyd Jordan, Chairperson -- Board of Zoning Adjustment

From: Janae Grant -- Chair ANC 5A

Date: August 11, 2012

RE: **BZA 18392 -- Application of Betty J. Williams**

Dear, Chairperson Jordan,

The Advisory Neighborhood Commission 5A would like to weigh in on the matter of the Special Exception filed by applicant Betty J. Williams for the Child Development Center at 5350 Chillum Place, NE. The applicant Ms. Williams by way of her attorney John Holahan, Esq from DLA Piper reached out to ANC5A regarding this matter.

COMMISSIONERS

5A01 Sandi Washington
5A02 Patricia Roberts
5A03 Angel Alston
5A04 Herman (Rip) Preston
5A05 Nicola Shaw
5A06 John Feeley, Jr.
5A07 Carolyn Steptoe
5A08 Timothy (Tim) Thomas
5A09 Shirley Riven Smith
5A10 Vacant
5A11 Janae Grant
5A12 Robert (Bob) King

The following summarizes the request made for the Child Development Center to ANC 5A: Ms. Williams received her license in December 2010, and went into business this year. She had 4 kids, but now it's 3 that she teaches and takes to the playground. She also attends OSSE workshops whenever she can. Her day care program is under the Voucher program in DC. She wants to turn her home into a child development center from 7AM -- 6PM with after care beginning from 3PM -- 6PM. She takes kids from 6 weeks old up to 5 years. She has a fully fenced back yard and they go to LaSalle playground now CAPS. Sixty six percent of her clientele take public transportation. DCRA denied her a Certificate of Occupancy. Hence was told to go to the BZA. The current business resides in a residential zoned area, although the need for expanding it into a child development center requires a special exception.

Ms. Williams shared with the community at a community meeting on June 20th, about her day care center. Some issues raised were the expansion, sleep hours and safety. Commission 5A followed up on the matter and held a special meeting allowing the residents to weigh in their concerns and or support, while Commissioner Roberts who was out of town. Flyers were directly mailed to the 200 footers asking them to attend and discuss concerns. Likewise, this information was shared with the applicant and her attorney and was put on the ANC website. Furthermore, ANC 5A relocated their already scheduled meeting to better accommodate the residents of 5A02 by meeting at the Metro Substation.

ANC 5A convened their special meeting on Wednesday, July 25, 2012 at 6:30PM to meet and hear from the residents of SMD 5A02. The concerns that were raised were space issues, since the application for Certificate of Occupancy stated 725 sqft for proposed usage. The applicant stated that her child development center would expand from the current basement to the 1st floor of her dwelling at 5350 Chillum Place, NE. Her business currently has a waiting list, she takes from up to 4 weeks old up to 5 years old. Currently, she has four children -- ages one, (2) two and a three year old. Prior to running her home business God's Creation Day Care, she was a manager

at Giant. However, she has been babysitting since she was 12 years old. Ms. Williams stated she is certified in CPR and First Aid and has her Child Development Associates. Additionally, her daughter will also help, who too is licensed with a CDA.

Another concern was that of separate bathrooms – Ms. Williams stated that she has a bathroom in the basement and one on each floor. Specifically, the children do not use her personal bathroom which is upstairs on the top floor. She also will have adequate space for the children to sleep, which is on cots and she has 2 cribs for younger babies. Likewise, there is heating and air conditioning throughout the home for proper ventilation. Also, she expects to put a sign in her front yard advertising the business, as well as providing flyers at the local library, word of mouth and then online. Finally, Ms. Williams shared that she has secured an additional parking spot in the rear of her home. Specifically, her neighbor Ms. Constance McMillian has offered Ms. Williams her parking space during the pick up and drop off times of the business. Ms. McMillian was in attendance at the special meeting.

The other concern was that of 12 children. While, the residents have no problem currently with the business, especially since it has not exceeded 4 children, would the two-story home be feasible and adequate to properly and safely accommodate 12 children under 6 yrs old. Unfortunately, it is too soon to tell and while there is some hesitancy on the part of the Commission regarding this matter, the BZA and OSSE will have to determine this along with the necessary Fire EMS and DDOT inspections.

On Wednesday, July 25, 2012, the residents within SMD 5A02 voted in support of the expansion of the child development center to host 12 children. The motion was properly moved by Sharon Thomas and seconded by Wanda Davis the residents of SMD 5A02 and the motion passed favorably. The special meeting was held by ANC 5A at the Metro District 1 Substation, 5315 First Place, NE from 6:30PM – 7:30PM.

Subsequently, on Wednesday, July 25, 2012, ANC 5A hosted its monthly meeting at the Metro District 1 Substation, 5315 First Place, NE from 7:30PM – 9:30PM, with a quorum of 8 Commissioners present. The Commission having heard from the residents of Single Member District Commissioner of 5A02, which is represented by Commissioner Patricia Roberts, about their support for the current business to expand into a child development center, also supported the residents. Furthermore, Commissioner Patricia Roberts will be in attendance at the hearing. The motion was made to support the increase capacity for the child development center. It was properly moved by Commissioner Feeley and seconded by Commissioner King. The motion passed in support of child development center 6-2 -0 by the Commission. Therefore, we are requesting that ANC 5A's 'great weight' be given to support the expansion of the child development center, provided the necessary inspections are passed and Ms. Williams provides copies of her certifications to run the child development center.

Janae Grant
Thank you kindly,
Chair ANC 5A
Janae Grant