



NAYLOR DUPONT
Advisory Neighborhood
Commission 7B



District of Columbia Government
3200 S Street, S.E.,
Washington, DC 20020
email: anc7b@earthlink.net
web: www.anc7b.net
phone: (202) 584-3400 fax: (202) 584-3420

January 9, 2014

Government of the District of Columbia
Board of Zoning Adjustment
441 - 4th Street, NW. Suite 200 S.
Washington, DC 20001

RECEIVED
D.C. OFFICE OF ZONING
2014 JAN 10 AM 9:25

Re: Application # 18681 of Shirley H Cox
Faces of Hope Child Development Center, Inc.

Dear Sirs and Madams:

Advisory Neighborhood Commission 7B respectfully requests that the Board re-hear and reconsider its decision in the case cited above. The case was set for hearing on December 17, 2013, and decided that day and communicated by first-class mail on December 19, 2013. The Commission also requests an extension of time in which to request the rehearing and reconsideration.

This matter was decided by the BZA just before Christmas and New Years Holiday and thus ANC 7B did not have adequate time to receive and act on the Decision of December 17th. The Board issued a Summary Order on December 17th with regard to the above matter and mailed by first class on Thursday, December 19, 2013. Unfortunately that date was the lead up to the Christmas and New Year's holiday. Our ANC has one part-time staff person who comes into maintain our office and receive our mail and works half a day on Tuesdays, Wednesdays and Thursdays the next business day for our office after December 19th was, December 24th, Christmas eve. Our mail arrives at an address which is our public meeting place 3200 S Street, SE, Washington DC which is different from the physical office at 3851 Alabama Avenue, SE.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18681
EXHIBIT NO. 30

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Board of Zoning Adjustment
District of Columbia
CASE NO.18681
EXHIBIT NO.30

Our mail is picked up by our secretary at the S Street address. That did not occur on Christmas Eve. Christmas Day of course our office was closed. Our mail was picked up on December 26th. Our next commission meeting date was our executive committee meeting scheduled for the first Wednesday of the month of January 2014. Wednesday, January 1, 2014, was New Year's Day a holiday thus the commission did not hold its executive committee meeting until Wednesday, January 8, 2014, in the intervening time Washington DC was hit by a weather event which slowed and delayed mail deliveries as a result the Commissioners of Advisory Neighborhood Commission 7B did not receive knowledge of the Summary Order of the BZA until January 8, 2014. We now come before the Board asking that because of the intervening holidays, weather events and the nature of our employee and volunteer status during this unusual period, we be granted an extension to allow this request for re-hearing and reconsideration.

ANC7B scheduled and held a Public Hearing in this matter at its regularly scheduled Public Meeting held November 21, 2013. Proper and lawful notice was given, a quorum was present and voting and the applicant was allowed to present her case for the Commission and the Community. Following discussion in public the Commission voted the resolution attached hereto to oppose the application.

The Summary Order recites that the 7B did not attend the hearing nor submit a written report. In fact 7B held a public hearing on the matter passed a resolution in opposition and communicated that opposition to the Office of Planning. By oversight the commissions resolution was not communicated to the BZA and not considered by it. Because of the violations of the applicant to the prior order of the Board of Zoning Adjustment in 2009 Advisory Neighborhood Commission 7B believes it is important to justice to allow the rehearing of this matter so that the Board may consider all the facts which have been made known to the Commission concerning the applicant and the premises 3008 K Street, SE. Inadvertently, I made a mistake on the hearing date and due to my mistake I had the hearing scheduled for the 18th not the 17th thus I missed the hearing. The Commissioner who submitted the position of the Commission being new submitted her response to the Office of Planning rather than the Office of Zoning. We believe these honest mistakes should not be used to impose as adverse action on the residents of the 3000 block of K Street, SE.

The Applicant will not be harmed by the rehearing because she knew and was advised at the public meeting that the Commission had planned to appear and oppose her application.

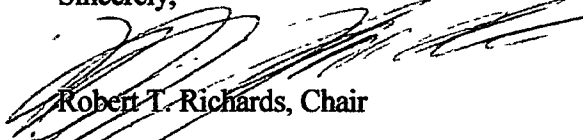
Prior to the December 17, 2013 hearing Advisory Neighborhood Commission 7B had communicated with the office of Planning that it had taken up the matter on two occasions and had thereafter voted to oppose the application.

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Therefore Advisory Neighborhood Commission 7B respectfully requests and justice would require a rehearing and reconsideration in this matter.

For your consideration I have attached the Resolution passed at our Public Meeting November 21, 2013 and our email communication with the Office of Planning.

Sincerely,



Robert T. Richards, Chair

cc: Faces of Hope Child Development Center, Inc.
Office of Planning - Stephen J. Mordfin



NAYLOR DUPONT

Advisory Neighborhood Commission 7B

RESOLUTION CONCERNING

Faces of Hope Child Development Center

Whereas at the invitation of the Commission, Ms. Cox, Owner of Faces of Hope Child Development Center appeared before the November 21, 2013, commission public meeting; and,

Whereas at such time Ms. Cox made a presentation concerning the progress and the plans for the Faces of Hope Child Development Center; and,

Whereas Ms. Cox informed the Commission that she was currently beginning construction to enlarge the Child Development Center in preparation for the Commission's approval; and,

Whereas Ms. Cox stated that the sign posted on the property to advertise the Faces of Hope Child Development Center was just removed the week of November 21, and that this was the second sign was which had been affixed to the building, and that she had planted hedges two weeks prior to the Commission's public meeting; and in addition, was presented a petition signed by one resident within the block in support of the Faces of Hope Child Development Center, she asked for the Commission's support in obtaining the zoning variance; and,

Whereas she acknowledged that she did not reside in the property as required in the initial zoning variance, and acknowledged that currently two students attended the Faces of Hope Child Development Center; and:

Now Therefore be it Resolved, that ANC 7B will go on record as against the renewal of the zoning variance initially granted to the Faces of Hope Child Development Center; and,

Therefore further be it Resolved that Advisory Neighborhood Commission 7B resolves that the Faces of Hope Child Development Center should not be allowed to expand beyond its current licensure.

From: anc7b <anc7b@earthlink.net>
To: Robert Richards <rbrchrd@cs.com>; Robert Richards <anc7b07@cs.com>
Subject: Fw: RE: 3008 K Street, S.E.
Date: Tue, Dec 17, 2013 9:01 am
Attachments: Faces_of_Hope_Child_Development_Center.doc (67K)

Bob,
FYI

MAshby

-----Forwarded Message-----

>From: "Howard-Chittams, (ANC 7B01)" <7B01@anc.dc.gov>
>Sent: Dec 16, 2013 8:59 PM
>To: "Mordfin, Stephen (OP)" <stephen.mordfin@dc.gov>
>Cc: "Anc7B@Earthlink.net" <Anc7B@Earthlink.net>
>Subject: RE: 3008 K Street, S.E.

>
>Please forgive my delay in getting back to you. Your email was lost in my inbox.

>
> Yes, the commission did take action regarding this application. The Commission voted against the extension of the zoning variance for the Faces of Hope Child Development Center.

>
>
>Thanks,

>
>Patricia Howard-Chittams
>Commissioner 7B01
>202-525-7147 Cell

>
>This communication and any documents, files or previous e-mail messages attached to it constitute an electronic communication within the scope of the Electronic Communication Privacy Act, 18 USCA 2510. This communication may contain non-public, confidential or legally privileged information intended for the sole use of the intended recipient(s). The unlawful interception, use or disclosure of such information is strictly prohibited under 18 USCA 2511. Any review, reliance or distribution by others or forwarding without expressed written permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.

>
>From: Mordfin, Stephen (OP)
>Sent: Monday, November 25, 2013 5:35 PM
>To: Howard-Chittams, (ANC 7B01)
>Subject: RE: 3008 K Street, S.E.

>
>Did the ANC take action on this application at the meeting of November 21?

>
>Thank you.

>
>

>Stephen J. Mordfin, AICP[[cid:imageJ01.png@01CEE404.ABD0F51G](#)]
>Development Review Specialist
>DC Office of Planning
>1100 4th Street, S.W., Suite E650
>Washington, DC 20024
>Office: 202-442-8810
>FAX: 202-442-7638
>stephen.mordfin@dc.gov
><http://planning.dc.gov><<http://planning.dc.gov>>

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>
>From: Howard-Chittams, (ANC 7B01)
>Sent: Thursday, November 07, 2013 2:40 PM
>To: Mordfin, Stephen (OP)
>Cc: anc7b@earthlink.net
>Subject: RE: 3008 K Street, S.E.
>
>Mr. Mordfin,
>
>Thank you very much for reaching out to me. We discussed the request for the indefinite zoning variation with the applicant last night at the Executive Committee Meeting of ANC 7B. We have asked her to return and speak at our public meeting on November 21st at 7:00 p.m. After that presentation, the ANC will make its public decision and that decision will be shared with you at that point.
>
>If you require additional information prior to that date, please feel free to contact me at the cell phonenumber listed below.
>
>
>Thanks,
>
>Patricia Howard-Chittams
>Commissioner 7B01
>202-525-7147 Cell
>
>This communication and any documents, files or previous e-mail messages attached to it constitute an electronic communication within the scope of the Electronic Communication Privacy Act, 18 USCA 2510. This communication may contain non-public, confidential or legally privileged information intended for the sole use of the intended recipient(s). The unlawful interception, use or disclosure of such information is strictly prohibited under 18 USCA 2511. Any review, reliance or distribution by others or forwarding without expressed written permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies.
>
>
>_____
>From: Mordfin, Stephen (OP)
>Sent: Wednesday, November 06, 2013 10:00 AM
>To: 'anc7b@pressroom.com'; Howard-Chittams, (ANC 7B01)
>Subject: 3008 K Street, S.E.
>Commissioner Howard-Chittams:
>
>I am reviewing BZA Application No. 18681, a special exception request for a child development center at 3008 K Street, S.E., for the Office of Planning. I would appreciate any comments the ANC may have on this application.
>
>Please contact me if you have any questions.
>
>Thank you.
>
>
>Stephen J. Mordfin, AICP[[cid:image001.png@01CEE404.ABD0F510](#)]
>Development Review Specialist
>DC Office of Planning
>1100 4th Street, S.W., Suite E650
>Washington, DC 20024
>Office: 202-442-8810

>FAX: 202-442-7638
>stephen.mordfin@dc.gov<<mailto:stephen.mordfin@dc.gov>>
><http://planning.dc.gov><<http://planning.dc.gov/>>
>
>Visit the DC Office of Planning on Facebook and on Twitter @OPinDC
>
>
>
>What would you like to see in the renovated Martin Luther King Jr. Memorial
Library?
>Share your thoughts on the library's spaces and services at DC Public
Library's<<http://www.dclibrary.org/>> online idea community at
[dclibrary.ideascale.com](http://www.dclibrary.ideascale.com)<<http://www.dclibrary.ideascale.com/>>
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