GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 16590 of Washington Ethical Society, pursuant to 11 DCMR §3104.1 for a special exception from Subsection 205 for the placement of a child development center in an R-1-A Zone District at premises 7550 16th Street, Northwest. (Square 2745-F, Lot 81)

HEARING DATE: July 11, 2000
DECISION DATE: July 11, 2000 (Bench Decision)

SUMMARY ORDER

The zoning relief requested in this case is self-certified, pursuant to 11 DCMR Subsection 3113.2.

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 4A and to owners of the property within 200 feet of the site.

The site of this application is located within the jurisdiction of ANC 4A. ANC 4A which is automatically a party to this application, did not file a report in this case. However, Mr. Douglass Sloan, the ANC Single Member for the district in which the property is located (4A01) submitted a letter of support for the special exception.

As directed by 11 DCMR §3119.2, the Board required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a special exception pursuant to §205. No person or entity appearing as a party to this case testified in opposition to the application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR §3104.1 and that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board concludes that granting the requested relief will not tend to affect adversely the use of the neighboring property in accordance with the Zoning Regulations and Map. It is therefore, **ORDERED** that this application be **GRANTED, SUBJECT** to the following **CONDITIONS:**

1. The number of children shall not exceed 40, ages 2-6 years old.

2. The number of teachers and staff on site shall not exceed 6 persons.

3. The days and hours of operation shall be Monday through Friday, no earlier than 7:00 a.m. nor later than 6:00 p.m.

4. The children are to be escorted to and from the facility, as determined by the staff.

5. Two on-site parking spaces shall be provided.

6. Trash pickup shall be provided, as needed.

BZA
Case No. 16590
Exhibit No. 31
Board of Zoning Adjustment
District of Columbia
CASE NO.16590
EXHIBIT NO.31

Pursuant to 11 DCMR 3101.6. the Board has determined to waive the requirement of 11 DCMR §3125.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is appropriate in this case.

VOTE:

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

PURSUANT TO D.C.CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C.LAW 2-38, AS AMENDED, CODIFIED AS D.C.CODE TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISION OF D.C.LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR §3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER IT BECOMES FINAL PURSUANT TO §3125.6."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF TWO YEARS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.