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October 3, 2000

00 OCT -3 P1:06
DISTRICT OF COLUMBIA
BOARD OF ZONING

Hand Delivery

Mr. Paul Hart
Office of Zoning
441 4th Street, N.W.
Second Floor
Washington, D.C. 20001

Re: BZA Application #16600

Dear Mr. Hart:

Per our discussion last week, enclosed please find the Applicant's proposed Summary Order in the above-referenced matter. For your convenience, we have enclosed the proposal both in hard copy form and on floppy disk. We have also enclosed a hard copy of the signed Voluntary Agreement with ANC 2B for inclusion in the Order as Exhibit A.

Please call should you have any questions. Thank you for your attention to this matter.

Sincerely,

Dennis R. Hughes

DRH:jew
Enclosures (as stated)

#212653

BZA
Case No. 16600
Exhibit No. 37

Board of Zoning Adjustment
District of Columbia
CASE NO.16600
EXHIBIT NO.37

APPLICANT'S PROPOSED SUMMARY ORDER

Application No. 16600 pursuant to 11 DCMR §§3104.1 and 3103.2 for a special exception under §508.1 for the construction of an addition to an existing building for office use, a variance under §531.1 from the floor area ratio ("FAR") requirement and a variance under §§2001.3(b) and (c) from the limitation on additions to non-conforming structures devoted to conforming uses in a DC/SP-1 Zone at premises 2027 Massachusetts Avenue, NW (Lot 21 in Square 94).

HEARING DATE: **September 19, 2000**
DECISION DATE: **September 19, 2000 (Bench Decision)**

SUMMARY ORDER

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) 2B and to owners of property within 200 feet of the site.

The site of this Application is located within the jurisdiction of ANC 2B, which is automatically a party of this Application, which submitted a written statement in support of the Application, subject to inclusion in the Order of a mutually approved voluntary agreement entered into between ANC 2B and the Applicant. (Exhibit A.)

As directed by 11 DCMR §3119.2, the Board has required the Applicant to satisfy the burden of proving the elements which are necessary to establish the case for special exception pursuant to 11 DCMR §§508.1 and 3104.1 and the case for variance pursuant to §§531.1 and 2001.3(b). No person or entity appeared at the public hearing in opposition to this Application or otherwise requested to participate as a party in this proceeding. 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 §§3103 and 3104, 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

further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. It is therefore ORDERED that this Application be **GRANTED.**

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: 4-0 (Robert Sockwell, Anthony Hood, Rodney Moulden and Anne Renshaw to grant.)

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

ATTESTED BY: _____
Jerrily R. Kress, FAIA
Director

FINAL DATE OF ORDER: _____

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 PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT."

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.

#212551



RELIGIOUS ACTION CENTER
OF REFORM JUDAISM

AGREEMENT

The Religious Action Center pursues social justice and religious liberty by mobilizing the American Jewish community and serving as its advocate in the nation's capital

2027 Massachusetts Ave, NW
Washington, DC 20036
(202) 387-2800
Fax (202) 667-9070
E-mail rac@uahc.org

Visit our website at http://rj.org/rac

Rabbi David Saperstein
Director and Counsel

Mark J. Pelavin
Associate Director

David S. Davidson
Chairperson
Commission on Social Action
of Reform Judaism

Leonard Fein
Director
Commission on Social Action
of Reform Judaism

The Religious Action Center is under the auspices of the Commission on Social Action of Reform Judaism, a joint instrumentality of the Central Conference of American Rabbis and the Union of American Hebrew Congregations with its affiliates: American Conference of Cantors, Association of Reform Zionists of America, National Association of Temple Educators, North American Federation of Temple Brotherhoods, Women Reform Judaism, and North American Federation of Temple Youth

THIS AGREEMENT made this sixth of September, 2000 by and between Union of American Hebrew Congregations ("Owner") and ADVISORY NEIGHBORHOOD COMMISSION 2B ("ANC 2B").

RECITALS

WHEREAS, Owner is the owner of Lot 21 in Square 94, known as premises 2027 Massachusetts Avenue, NW, (the "Property"); and

WHEREAS, the Property is located within the boundaries of ANC 2B, such ANC being organized pursuant to the Advisory Neighborhood Commission Law, ***D.C. Code §1-251, et seq.***; and

WHEREAS, Owner desires to construct a three-story addition to the Property, said addition to be used primarily for an elevator and additional stair access; and

WHEREAS, to that end, Owner has applied to the Board of Zoning Adjustment ("BZA") (Application No. 16600) for certain special exception and variance relief necessary to construct the above-referenced improvements; and

Exhibit A

WHEREAS, Owner and ANC 2B believe that working together cooperatively ensures a better neighborhood; and

WHEREAS, due to the proximity of the Subject Property to residential uses, Owner and ANC 2B desire to enter into an agreement to address certain community concerns regarding the Property; and

WHEREAS, ANC 2B, at is regularly scheduled meeting on May 10, 2000, voted unanimously to support the Project (Application No. 16600) to the BZA, provided that certain conditions are met; and

WHEREAS, in consideration for the ANC's support of the Project, Owner has agreed to the ANC's conditions;

DECLARATIONS

NOW, THEREFORE, in consideration of the mutual promises, representations, and agreements contained herein, the parties hereby agree that the development of the Project will be governed by the following conditions:

16/00
owner agrees
o consult with
the ANC Commissioner
whose SMD the
roperty exists, on
redesign of the
signage.
Initial ANC

1) Owner agrees to remove the painted wall signage from the Q Street, NW, frontage of the Property, with the understanding that Owner retains the right, subject to appropriate DC government approval, to install on the Property signage of the pre-manufactured variety (i.e. metal, plastic, wood) by means of attachment to the building or on post on the grounds of the Property.
2) Owner agrees to maintain and keep clean the parking area on the Property.
3) Subject to appropriate DC government approval, Owner agrees to construct a trash enclosure on the Property as described herein at attached Exhibits A, B,

and C, said enclosure to be properly maintained and to house a combination of dumpster and trash cans. Trash to be picked up at regular intervals to keep the area clean at all times 9/6/00 Owner agrees to consult with the ANC should there be substantial change to the trash enclosure from the design attached in Exhibits A, B, & C. MKD

4) This Agreement may be signed in counterparts, all of which shall be taken together as a single instrument. This Agreement shall become binding upon the signature of both parties.

IN WITNESS WHEREOF, on the day and year first hereinabove written, the said UNION OF AMERICAN HEBREW CONGREGATIONS has caused these presents to be signed in its name by David Saperstein, its true and lawful attorney-in-fact for it and in its name to appear before any officer authorized by law to take and certify acknowledgements and then and thereto acknowledge and deliver these presents as its act and deed.

UNION OF AMERICAN HEBREW CONGREGATIONS

By: _____
David Saperstein
Director and Co - Counsel

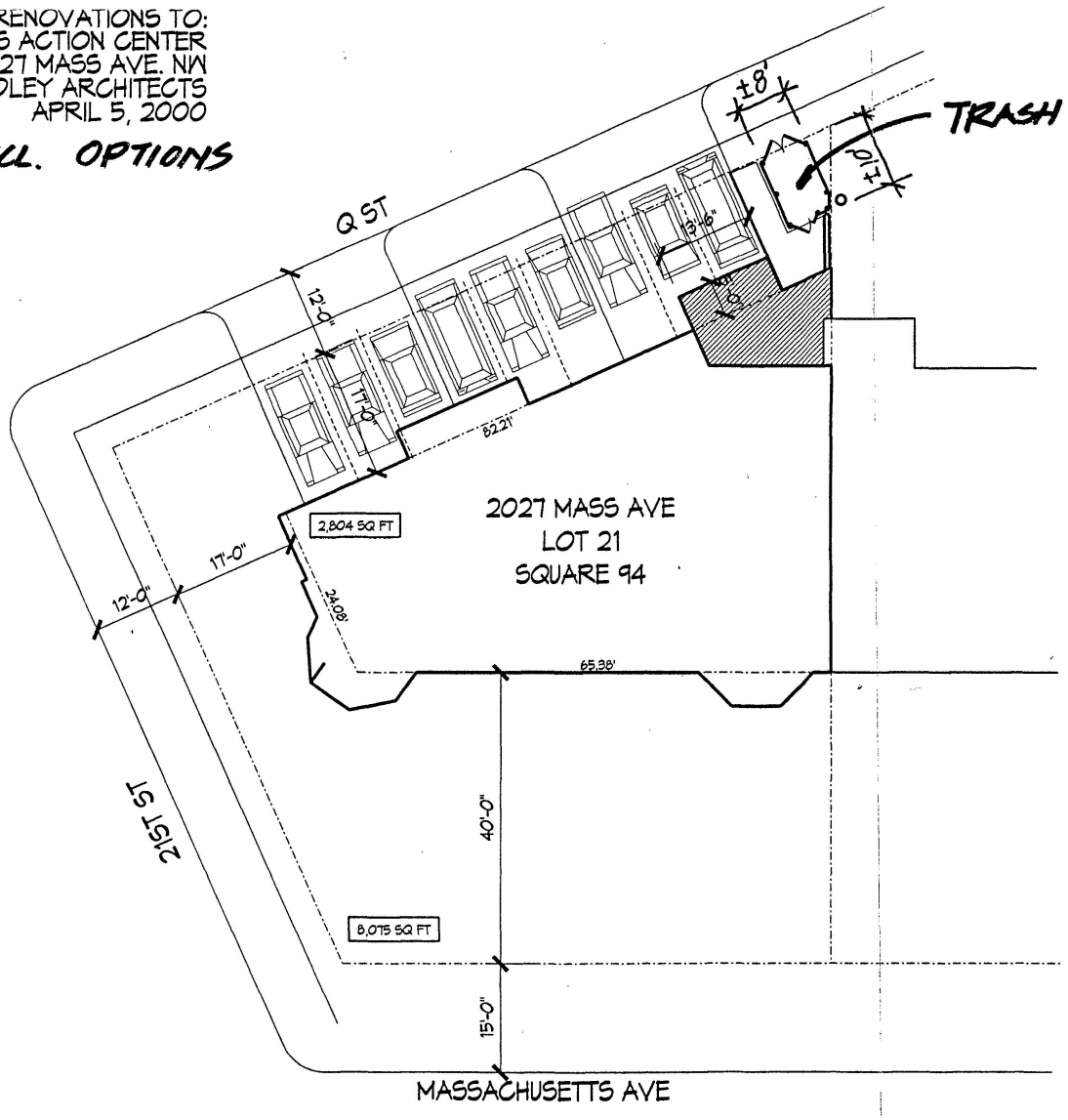
IN WITNESS WHEREOF, on the day and year first hereinabove written, the said ADVISORY NEIGHBORHOOD COMMISSION 2B has caused these presents to be signed in its name by Kyle Pitsor, Chairperson, its true and lawful attorney-in-fact for it and in its name to appear before any officer authorized by law to take and certify acknowledgments and then and thereto acknowledge and deliver these presents as its act and deed.

ADVISORY NEIGHBORHOOD
COMMISSION 2B

By Kyle Pitsor
Kyle Pitsor, Chairperson

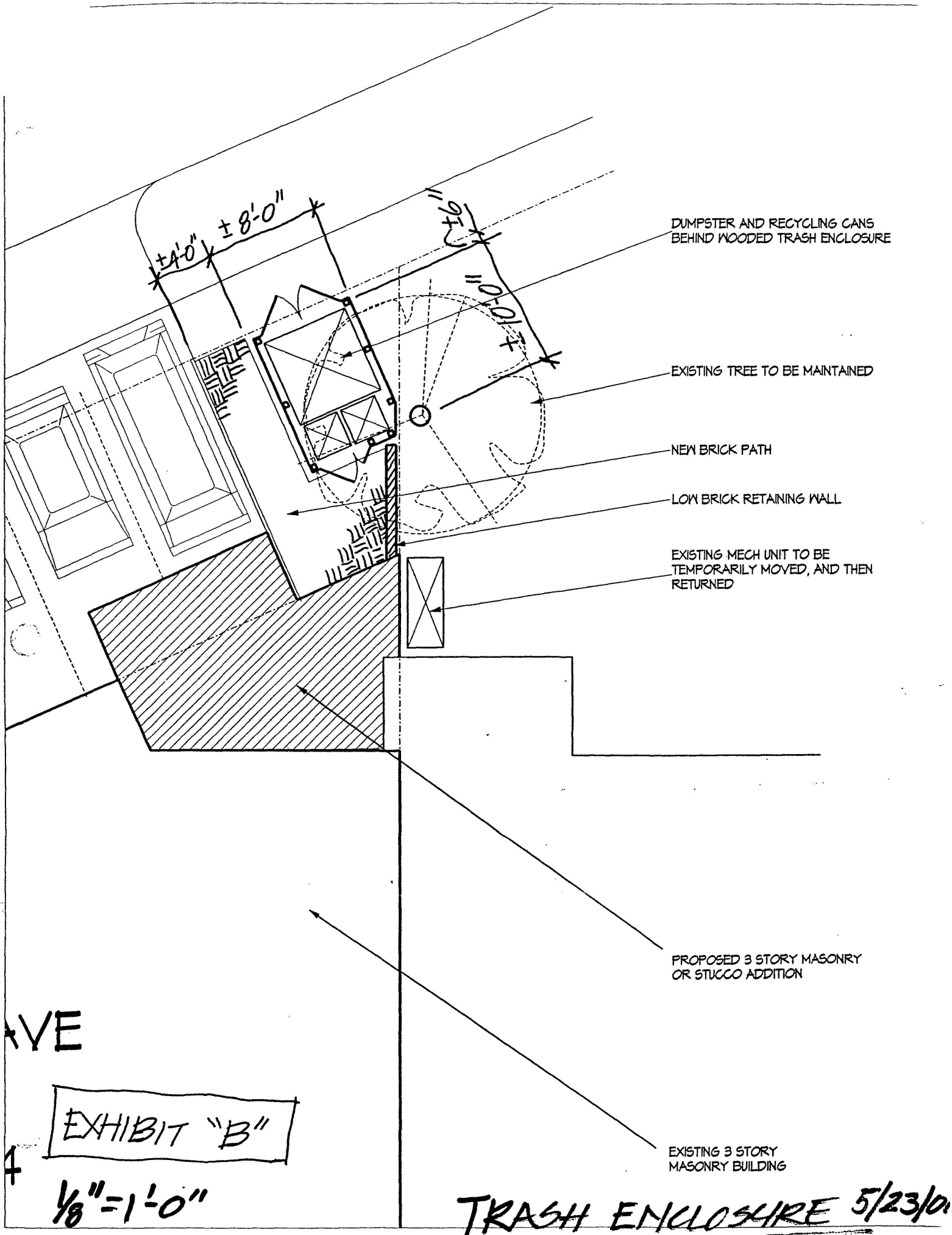
ADDITIONS AND RENOVATIONS TO:
RELIGIOUS ACTION CENTER
2027 MASS AVE. NW
BOWIE GRIDLEY ARCHITECTS
APRIL 5, 2000

TRASH ENCL. OPTIONS (5/23/00)



SCALE 1"=20'-0"

EXHIBIT "A"

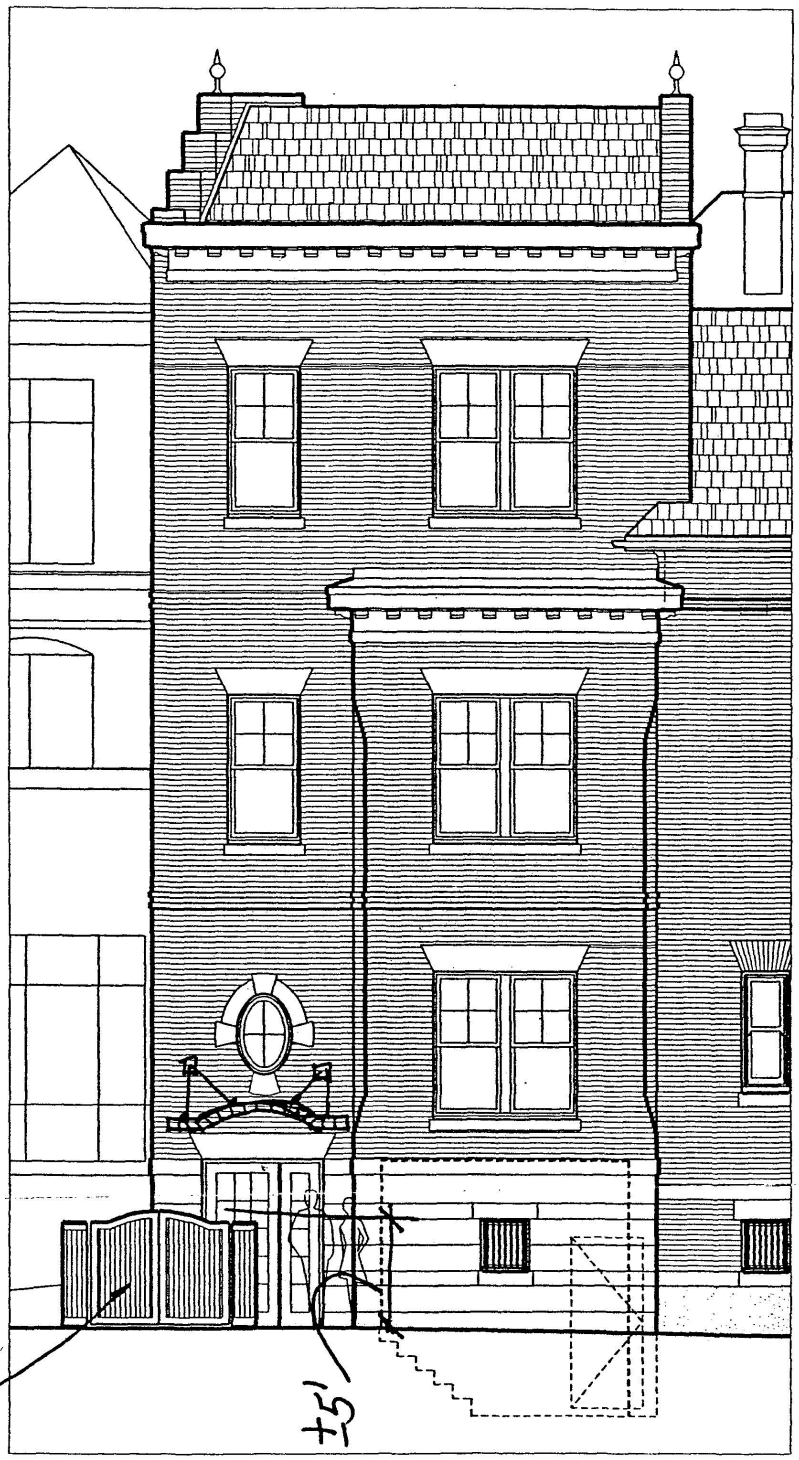


AVE

EXHIBIT "B"

1/8"=1'-0"

TRASH ENCLOSURE 5/23/0



.../9023-TRASH ENCLOSURE.dgn 05/23/2000 05:31:16 PM

EXHIBIT "C"

SCALE 1/8"=1'-0"

ELEVATION
TRASH ENCLOSURE

5/23/00