

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

ADVISORY NEIGHBORHOOD
COMMISSION 4A,

Appellant

v.

DEPARTMENT OF CONSUMER AND
REGULATORY AFFAIRS

Appellee.

BZA Appeal No.: 16839

Appeal of Issuance of
Certificate of Occupancy
18366

Zoning Administrator's Parking Assessment

The Zoning Administrator has determined that the day treatment center located at 5507 – 5509 Fourteenth Street, N.W., Washington, D.C., should be treated as a Child/Elderly Development Center under 11 D.C.M.R. § 2101.1. Under 11 D.C.M.R. § 2101.1., a Child/Elderly Development Center must provide one parking space for each 4 teachers and other employees. See Title 11 of the D.C.M.R., 11 D.C.M.R. § 2101.1 at 21-9. The applicant states that it has eleven (11) employees at the day treatment center. Using the appropriate parking calculation, the applicant is required by the regulations to provide three (3) parking spaces.

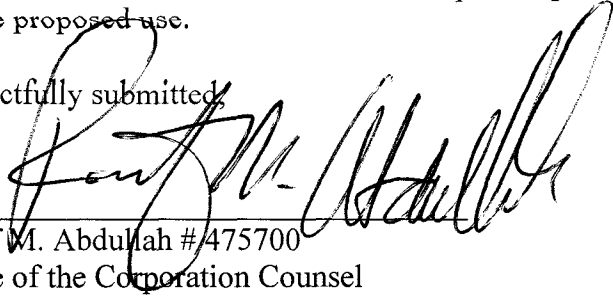
The Zoning Administrator has determined that the applicant should be evaluated as a Child/Elderly Development Center under 11 D.C.M.R. § 2101.1, even though not all of the clients are elderly and none are children. The classification is appropriate nonetheless because the intent of the regulation is served by the classification. The reason that child/elderly development centers are treated differently from the general office calculation (in excess of 2,000 ft.², one (1) parking space for each additional 600 sq. ft.² of gross floor space) is that generally, neither children nor the elderly have impact on parking because children and the elderly belong to segments of the population who typically do not drive. Thus, child/elderly development centers should be excepted from the parking requirements to which general offices are held due to the diminished impact that they have on parking. Similarly, the day treatment program located at 5507 – 5511 Fourteenth Street, N.W., served clients who suffer from severe physical handicaps. One consequence of their condition is that these clients cannot and do not drive automobiles. Thus, they have the same impact on parking that children and the elderly have on parking. Thus, in administering the parking requirements of the Zoning Regulations, the Zoning Administrator used the most analogous classification to the proposed use of the facility. In this case, the Zoning Administrator determined after investigation and analysis that the Child/Elderly Development Center classification is the appropriate

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Board of Zoning Adjustment
District of Columbia
Case No. 16839
EXHIBIT NO. 25

classification for the assessment of the impact of parking by the applicant on the public for the proposed use.

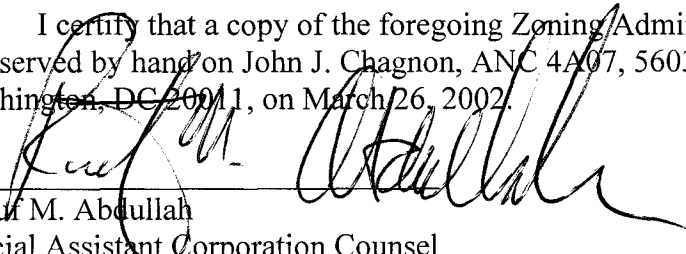
Respectfully submitted,



Raouf M. Abdullah #475700
Office of the Corporation Counsel
Civil Division
441 Fourth Street, Suite 450 North
Washington, DC 20001
(202) 727-4171

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Zoning Administrator's Parking Assessment was served by hand on John J. Chagnon, ANC 4A07, 5603 Fourteenth Street, NW, Washington, DC 20011, on March 26, 2002.



Raouf M. Abdullah
Special Assistant Corporation Counsel