GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HUMAN SERVICES

Office of Early Childhood Development



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2002 MAR 26 AM 11: 09

MEMORANDUM

TO: Jerrily R. Kress, FAIA
Director
Board of Zoning

FROM: Barbara Ferguson Kamara
Executive Director

DATE: March 11, 2002

SUBJECT: Return of BZA Application No. 16855

The attached BZA Application is being returned to your Office. It was incorrectly forwarded to the Department of Human Services, Office of Early Childhood Development. The aforementioned BZA Application is requesting to allow a sixth grade at a private school. The Office of Early Childhood Development has no authority over such matters. Any questions that you may have concerning the return of this document should be forwarded to Ms. Lesa Bonds, of my staff, on 202-727-1839.

Attachment

Cc: Lesa S. Bonds

BZA
Case No. 16855
Exhibit No. 54

Board of Zoning Adjustment
District of Columbia
CASE NO.16855
EXHIBIT NO.54

717 14th Street, NW. Suite 730, Washington, D.C. 20005 (202) 727-1839 (202) 727-8166 Fax

D.C.-44
APRIL 1980

Memorandum ● Government of the District of Columbia

TO: Barbara J. Kamara
Dept. of Human Services

Department, Agency, Office: **BZA**

FROM: **Jerrily R. Kress, FAIA**
Director

Date: FEB - 4 2002

SUBJECT: **BZA Application No.** 16855

The above cited case is hereby referred to the Department/Office of Human Services **for review and report as required by 11 DCMR, Section** 205 **of the Zoning Regulations. Please note further that 11 DCMR, Section 3114 requires that your report be filed at least seven days (7) prior to the date set for the public hearing on this case.**

APPROXIMATE HEARING DATE: Mar 26, 2002

Referralmemos/kjw

BZA Form 2
(Revised 7/17/95)

Docket No. 16855

KW

BEFORE THE BOARD OF ZONING ADJUSTMENT
FOR THE DISTRICT OF COLUMBIA

APPLICATION

NOTE: See reverse side of this form for filing instructions, filing fees and information required by the Board

DO NOT MAIL **DO NOT MAIL**

TO THE BOARD OF ZONING ADJUSTMENT

Pursuant to Sections 3104.1 of the Zoning Regulations of the District of Columbia, an application is hereby made for the following action: special exception to modify Condition No. 2 of Order 16424, which is provided for by Section(s) 205 and 206 of the Zoning Regulations.

Premises affected are located at 4470 Q Street, N.W. (street address),

Lot(s) 980, Square(s) 1363,

in the District of Columbia, in Zoning District R-1-B.

Present use of Property: Private School/Child Development Center

Proposed use of Property: Private School/Child Development Center

Owner of Property: Rock Creek International School

Address of Owner: 4470 Q Street, N.W., Washington, DC

State briefly the bases for action sought: Modification of Condition No 2 of Order No. 16424 to allow a sixth (6th) grade.

Date: 1/28/02 Signature: _____ (Applicant)*

*The owner of the property for which application is made or his/her authorized agent may file an application. In the event an authorized agent files an application on behalf of the owner, the notice of application shall be accompanied by a letter signed by the owner authorizing the agent to act on his behalf in this appeal.

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TO BE NOTIFIED OF HEARING AND DECISION:

Name: Phil T. Feola

Address: Shaw Pittman, 2300 N Street, N.W., Washington, DC

Zip Code 20037 Phone No. (202) 663-8789

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

Form 007—D. C.

Surveyor's Office
DISTRICT OF COLUMBIA

Washington, D. C., NOV. 20, 1978

Plat, for Building Permit of SQ. 1363 LOT 980

Recorded in Book A&T page 3792-4

Scale: 1 inch = 30 feet

S. O. 4025

Furnished to

Surveyor, District of Columbia.

By BW

C6

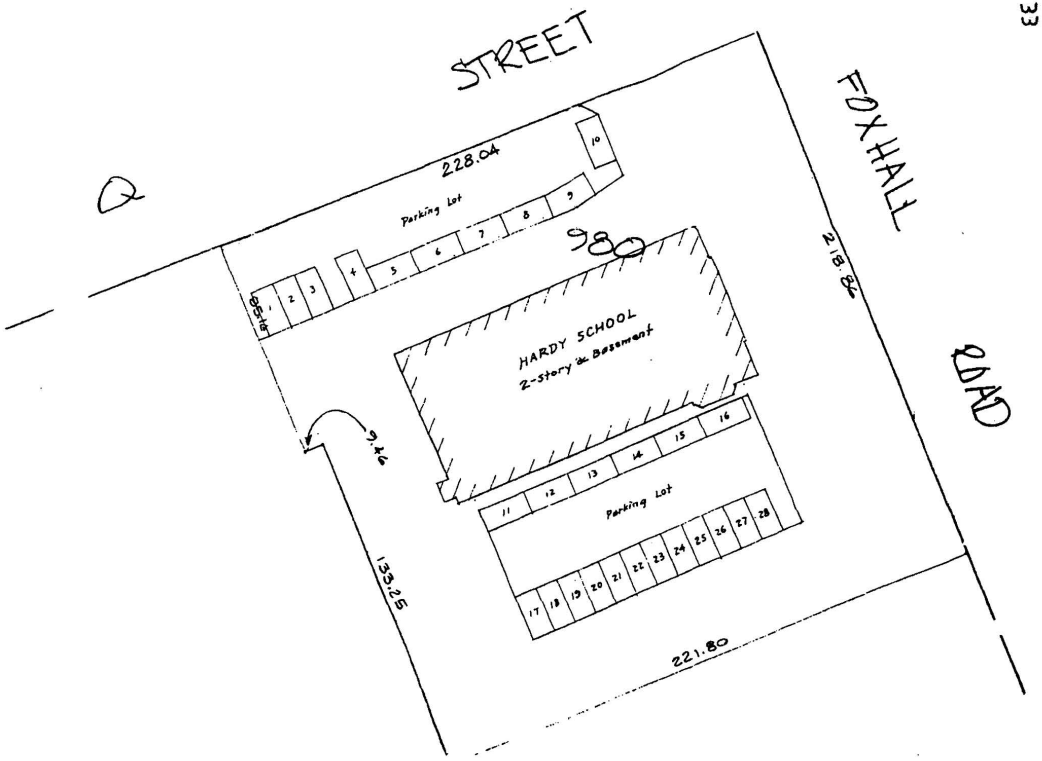
I hereby certify that all existing improvements shown hereon are completely dimensioned, and are correctly platted; that all proposed construction, or parts thereof, including covered porches, are correctly and platted and agree with plans accompanying the application; that the lot plan as shown hereon is drawn, and dimensioned accurately to scale as the property lines shown on this plat; and that by reason of the improvements to be erected as shown hereon the size of any adjoining premises is not decreased to an area less than is required by the Zoning Regulations for light and ventilation; and it is further certified and agreed that accessible parking area where required by the Zoning Regulations will be reserved in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon. It is further agreed that the elevations of the accessible parking area with respect to the Highway Department approved curb or alley grade will not result in a rate of grade along centerline of driveway at any point on private property in excess of 20% for single-family dwellings or less, or in excess of 15% at any point for other buildings. (The policy of the Highway Department permits a maximum driveway grade of 15% across the public parking and the private restricted property).

Date _____

_____
(Signature of owner or his authorized agent)

NOTE: Data shown on Assessment and Taxation Lots or Parcels are per records of Assessor, D. C. but do not necessarily agree with deed description.

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Form 1 - BZA Certification - Side (Revised 03/07/00)

ZONING SELF-CERTIFICATION FORM

Date	Project Address(es)			
1/28/02	4470 Q Street, NW			
Square	**Lot(s)**	**Zone District(s)**	**ANC(s)/Single Member District(s)**	**Case No.**
1363	980	R-1-B	ANC2E	16424

CERTIFICATION

The undersigned agent hereby certifies that the following zoning relief is required from the Board of Zoning Adjustment in this matter pursuant to:

☐	Use Variance DCMR 11 §3103	☐	Area Variance DCMR 11 §3103	☐	Special Exception DCMR 11 §3104

which is provided for by DCMR Title 11 Section No(s).: 205 and 206

Pursuant to 11 DCMR §3113.2, the undersigned agent certifies that:

(1) the agent is duly licensed to practice law or architecture in the District of Columbia;
(2) the agent is currently in good standing and otherwise entitled to practice law or architecture in the District of Columbia;
(3) the applicant is entitled to apply for the variance or special exception sought for the reasons stated in the application.

The undersigned agent and owner acknowledge that they are assuming the risk that the owner may require additional or different zoning relief from that which is self-certified in order to obtain, for the above-referenced project, any building permit, certificate of occupancy, or other administrative determination based upon the Zoning Regulations and Map. Any approval of the application by the Board of Zoning Adjustment does not constitute a Board finding that the relief sought is the relief required to obtain such permit, certification, or determination.

The undersigned agent and owner further acknowledge that any person aggrieved by the issuance of any permit, certificate, or determination for which the requested zoning relief as a prerequisite may appeal that permit, certificate, or determination on the grounds that additional or different zoning relief is required.

The undersigned agent and owner hereby hold the District of Columbia Office of Zoning and Department of Consumer and Regulatory Affairs harmless from any liability for failure of the undersigned to seek complete and proper zoning relief from the Board of Zoning Adjustment.

The undersigned owner hereby authorizes the undersigned agent to act on the owner's behalf in this matter.

Owner's Signature	Owner's Name (Please Print)	Rock Creek International School
	J. Daniel Hollinger,	
Agent's Signature	**Agent's Name (Please Print)**	
	Phil T. Feola, Shaw Pittman	

D.C. Bar No.	# 290387	or	Architect Registration No.	

OFFICE OF ZONING DETERMINATION

(DCMR Title 11 §3113.2)

Based upon review of the application and self-certification, this application is

☐	Accepted for filing.
☐	Referred to the Office of the Zoning Administrator, Department of Consumer and Regulatory Affairs, for determination of proper zoning relief required.
☐	Rejected for failure to comply with the provisions of ☐ DCMR Title 11 §3113.2; or ☐ DCMR Title 11 Zoning Regulations. Explanation _____

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Signature	Date

STATEMENT OF EXISTING AND INTENDED USE

Rock Creek International School (the "Applicant") is located at 4470 Q Street, N.W. (the "Subject Property"). The Subject Property formerly housed a D.C. public school, the Hardy School. In BZA Application No. 16424, the Rock Creek International School received BZA approval to establish and operate a private school/child development center for 200 students and a staff of 35-40 people in an existing structure (the old Hardy School) in an R-1-B District, at premises 4470 Q Street, NW (square 1363, lot 980) (the "Subject Property"). The Board granted this application on February 3, 1999 by a bench decision with issuance of a summary order. A copy of that Order is attached to the Applicant's Motion for Modification of Approved Plans as Exhibit A. The Order contains seven conditions. The relevant condition is Condition No. 2. That condition requires that "the number of students shall not exceed 200, pre-kindergarten through fifth grade." The Applicant proposed that the school be pre-kindergarten through fifth grade. The Applicant's intent at that time (in 1999), and that intent remains, was to develop a middle school for grades six through eight at a different location. Because Rock Creek International School was unable to anticipate the difficulty and time frame involved in identifying and establishing a middle school, it is now faced with a situation where a number of its students who will be sixth graders will be forced to make a decision to move, by March 2002, to a different school rather than stay at the existing Rock Creek International facility.

There are no other changes to the Order. It still continues until September 30, 2009. The number of students still does not exceed 200. The number of staff does not exceed 40. The hours of operation and parking spaces do not change. The Applicant is still required to have an ongoing liaison with the Foxhall Community Citizens Association, ANC 2E, and other interested community members. Finally, the landscaping is still required to be provided and maintained. Therefore, the whole essence of this request is to allow existing Rock Creek International School students, who want to, to remain until the sixth grade rather than the fifth grade.

Document #: 1206969 v.1

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