16894

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 16529 of The Episcopal Archdiocese of Washington, pursuant to 11 DCMR 3104.1, for a special exception under Section 205, to establish a child development center for a total of 55 students and 7 teachers; to be located on the first floor with 20 students and 2 teachers; on the small second floor classroom with 7 students and 1 teacher; on the large second floor classroom with 17 students and 2 teachers; on the mid-second floor classroom with 11 students and 2 teachers, and also to be located in the basement in an R-3 District at premises 2001 14th Street, S.E. (Square 5774, Lot 836).

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

SUMMARY ORDER

The Board provided proper and timely notice of public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 6C and to owners of property within 200 feet of the site.

The site of this application is located within the jurisdiction of ANC 6C. ANC 6C, which is automatically a party to this application, did not submit a report or otherwise participated in this application.

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 a special exception pursuant to 11 DCMR Section 205. 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 3104.1, 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**, **SUBJECT** to the following **CONDITIONS:**

1. The ages of the children shall be 30 months through six years.

2. The number of children shall not exceed 90. The number of employees shall not exceed nine.

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3. The hours and days of operation shall be from 6:00 a.m. to 6:00 p.m., Monday through Friday.

4. Drop-off and pick-up of the children shall be secured by the applicant.

5. Trash removal shall be carried out on a daily basis.

6. The property shall be kept free from debris at all times.

7. Lunches shall be provided on the premises.

8. Approval shall be for **SEVEN YEARS.**

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: 3-0 (Kwasi Holman, Robert N. Sockwell and Sheila Cross Reid to grant).

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

ATTESTED BY: _____
JERRILY R. KRESS, FAIA
DIRECTOR

FINAL DATE OF ORDER: FEB - 8 2000

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 3125.9, "NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBSECTION 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.

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA APPLICATION NO. 16529

As Director of the Office of Zoning, I certify and attest that on FEB - 8 2000 a copy of the decision entered on that date in this matter was mailed first class, postage prepaid to each party in this case, and who is listed below:

John Thompson
1710 Connecticut Avenue, N.W.
Washington, D.C. 20009

The Chairperson
Advisory Neighborhood Commission 6C
2019 Ridge Place, S.E.
Washington, D.C. 20020

Attested By:
JERRILY R. KRESS, FAIA
DIRECTOR

Attest16529/JKN/012400