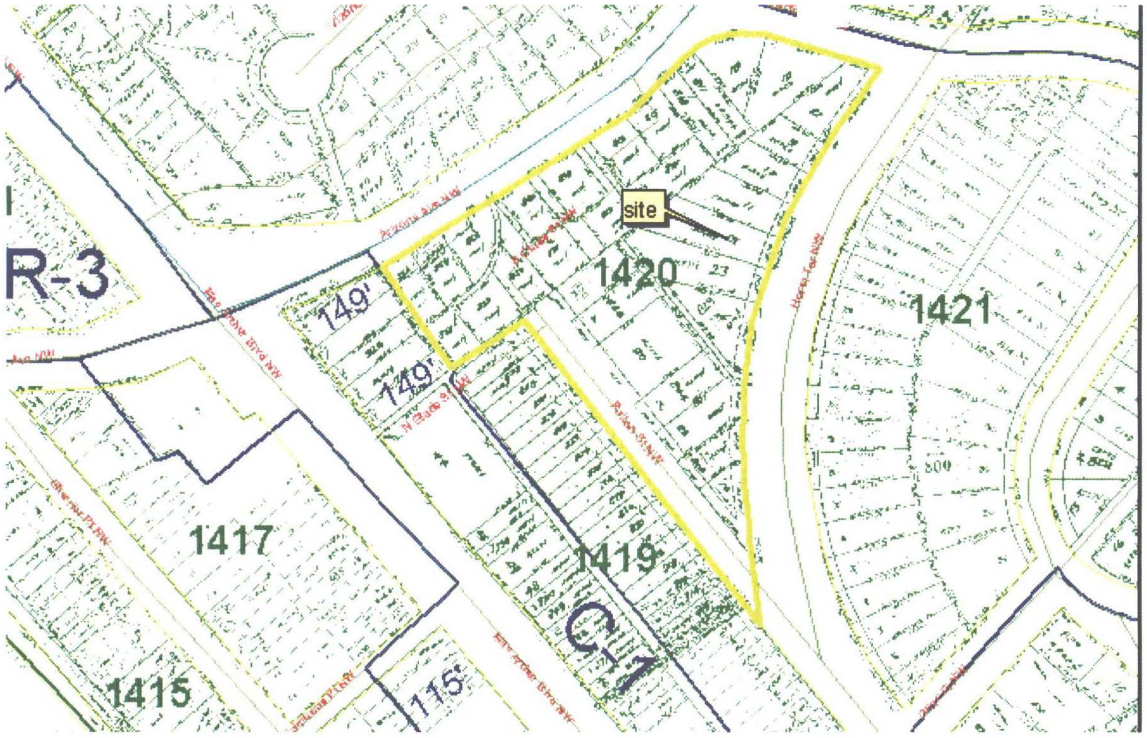


Application No. 16915 of Barbara Schriever Allan

REVISED

NOTES: **There are three requests for party status before the Board. Two are in support and one is in opposition to the application.**

The use of a portion of the site as a child development center runs with the land; it would be illegal for the Board to make the property owner the sole proprietor of the center.

RELIEF SOUGHT: Pursuant to 11 DCMR § 3104.1, for a special exception for the continued operation of a child development center having 23 children and 3 staff (last authorized by BZA Order No. 15713) under section 205, at premises 2828 Hurst Terrace, N.W.

ZONING: R-1-B District

SQUARE & LOT: Square 1420, Lot 12

OFFICE OF PLANNING: **OP recommends APPROVAL for SEVEN years. The report was timely filed. Exhibit No. 82**

BZA
Case No. 16915
Exhibit No. 103

Board of Zoning Adjustment
District of Columbia
CASE NO.16915
EXHIBIT NO.103

d.: **The Department of Transportation recommends APPROVAL of the application. Exhibit No. 92. The report was not timely filed.**

DEPT. OF HEALTH: The Department recommends **APPROVAL**. Exhibit No. 23 is the Department's approval letter and the Applicant's license.

ANC-3D: The ANC recommends **APPROVAL** for **FIVE YEARS**, along with other **CONDITIONS**. **Exhibit No. 70. The report was timely filed.**

AFFIDAVIT OF POSTING: The property was properly posted and the Affidavit of Posting timely filed. Exhibit No. 80

NOTES:

- The Applicant is the owner of Barbara's Montessori School. The Applicant has used a portion of the building to house the child development center for the past 18 years. The center serves pre-kindergarten children ages 2, 3 and 4 years old. The center is open September through May, between the hours of 9:00 a.m. and 12:00 noon, Monday through Friday. It is closed during the summer months and on major holidays. Note that the Applicant lives on the premises and approximately 90 percent of the building is used as her residence. The child development center is housed in a large room, which is attached to the dwelling at the rear. The space where the center is located was specifically built to house the school.

- Referral from the Zoning Administrator's office, Exhibit No. 7.

- **The Applicant's current license to operate the facility will expire on June 10, 2003. The last BZA Order approved by the Board will expire on October 26, 2002.**

- The record indicates that the Applicant anticipates that she will be retiring in the near future and would like to have her successor, Christine Lonergan, manage and operate the facility. OZ's conversation with the Applicant indicates that she has modified her application and will no longer seek to have a Co-Applicant.

- **The Applicant will be represented by counsel – Laura Griffen. Exhibit No. 69 is the Applicant's Pre-Hearing Statement. Exhibit No. 65 is the Applicant's Letter of Authorization.**

Previous BZA Orders	Date Issued	Duration of Time	
14121	June 7, 1984	3 Years	Exhibit No 8
14646	August 11, 1987	5 Years	Exhibit No. 9
15713	October 26, 1992	10 Years	Exhibit No. 10

REQUESTS FOR PARTY STATUS

1. **Exhibit No. 66 is a petition on behalf of 17 neighborhood residents seeking party status. Joseph Rich is the legal counsel representing the neighbors. The request was timely filed. Brief filed by neighbors in opposition, Exhibit No. 87.**

2. **Exhibit No. 68 is a request from Jennifer Gagnon to appear as a party and proponent of the school. The request was timely filed.**

3. **Exhibit No. 72 is a request from Bill Allan to appear as a party and proponent of the school. The request was timely filed.**

ISSUES

- **The recent renovation at Key Elementary School and how it affects traffic in the vicinity of the site.**
- **Traffic, pick-up and drop-off, parking at the site.**
- **The institutionalization of the neighborhood.**
- **The transfer of ownership from the current owner to another proprietor.**
- **What is the precise number of students who are enrolled at the center and are the same children in attendance each day.**

Letters of Support

Ellen Clare Dreyer, Exhibit No. 86
Peter Rucci, Exhibit No. 81
Amy E. Campbell, Exhibit No. 78
Joan McCarrick Henry, Exhibit No. 77
Lori P. Harrop, Exhibit No. 75
Leslie Knibb, Exhibit No. 71
MaryBeth Durant, Exhibit No. 67
Elizabeth Babbitt, Exhibit No. 64
Ambassador & Mrs. Ruperez, Exhibit No. 63
Julie & Tony DeVol, Exhibit No. 62
Alexander Stoddard, Exhibit No. 60
Lynda Huguely Camalier, Exhibit No. 59
Jeffrey M. Keffer, Exhibit No. 58
Grace & Jimmy Broughton, Exhibit No. 57
Karla Daly, Exhibit No. 56
John C. Waters, Exhibit No. 54

Letters of Opposition

Lynn Kauffman, Exhibits 85 & 91
Karen Cohen Holmes, Exhibit 84
Gene C. Tweraser, Exhibit No. 83
Sherry Rich, Exhibit No. 79
Christine Allison, Exhibit No. 76
Ursula V. Daniel, Exhibit No. 73
Susan Lange Smith, Exhibit No. 61
G. Tweraser & K. Holmes, Exhibit 74
Mary K. Leonard, Exhibit No. 55
Carol Hylton, Exhibit No. 89
Nicholas Kauffman, Exhibit No. 88
Alma H. Gates, Exhibit No. 90
Carol Sheldon Hylton, Exhibit 93
Antonia Geber, Exhibit No. 94
David C. Mitchell, Exhibit 95

Letters of Support Continued

Pameal & Daniel Smith, Exhibit No. 53
Nancy Sidamon-Eristoff, Exhibit No. 52
Peter & Maureen Warren Pelham, Exhibit No. 51
R. Christian Johnsen, Exhibit No. 50
Michele M. Seiver, Exhibit No. 49
Kim Gibson, Exhibit No. 48
Mary Ruppe Nash, Exhibit No. 47
Howard G. McClintic, Exhibit No. 46
Paul & Susanna D' Andrea, Exhibit No. 45
Merddith Hughes, Exhibit No. 44
Alicia Van Arsdall, Exhibit No. 43
Richard & Jennifer Gagnon, Exhibit No. 42
Heidi I. Hartman, Exhibit No. 41
Kristin Steinberg, Exhibit No. 40
Michael M. Mundt, Exhibit No. 39
William & Theresa McKinnon, Exhibit No. 38
Leigh P. Holley, Exhibit No. 37
Cheryl Bruner, Exhibit No. 36
John & Lauri Menditto, Exhibit No. 35
Ann Tonjes, Exhibit No. 34
Jamie & Stephen duPont, Exhibit No. 33
Ann Young Orr, Exhibit No. 32
Linda C. ReVeal, Exhibit No. 31
Alison Connick, Exhibit No. 30
Michael Kenneth Gewirz, Exhibit No. 29
John V. Wells, Exhibit No. 27
Mary Beth Durant, Exhibit No. 26
J. and V. Wilson, Exhibit No. 25
Thomas T. Wallace, Exhibit No. 24
PETITION, Exhibit 96