TONI THOMAS ASSOCIATES, INC.
COMMUNITY EMPOWERMENT CONSULTANTS

BZA 16963

January 24, 2003

ORIGINAL

Government of the District of Columbia
Office of Zoning Administration
441 4th Street, N.W. Room 210-S
Washington, DC 20001

Reference: Certificate of Occupancy Application #34306, for 4601 Martin Luther King Jr. Avenue. SW Square 252, Lot 93, Zoned R-5-A.; Request for Use Variance

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D.C. OFFICE OF ZONING
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Dear Sir or Madam:

Toni Thomas Associates, Inc. is requesting an amendment to our application for use variance for 4601 Martin Luther King, Jr. Avenue, SW, to change our request from a Use Variance to a Request for Special Exception.

Toni Thomas Associates, Inc. would like to operate a private school at the property location referenced above. Our private school to be called the Community Empowerment Training Academy, (CETA) will provide soft skill classroom training for residents of the District of Columbia who are under and or un-employed. Our training programs will include life skills, job readiness training, and GED preparation. Other training includes computer technology and office administration and web design. Students completing these programs will be placed in career ladder positions leading to long-term economic self-sufficiency.

Please review the attached detailed statement explaining how our application meets the specific test identified in the Zoning Regulations for special exception.

We are also requesting "a bench decision summary order", so that a decision can be made at our hearing scheduled for the morning session on February 11, 2003.

If you have any questions concerning this request for amendment please do not hesitate to contact me at 202-678-6700. Thank you for your consideration.

Sincerely,

I. Toni Thomas
President/CEO

BZA
Case No. 16963
Exhibit No. 33

COMMUNITY EMPOWERMENT TRAINING ACADEMY
4601 Martin Luther King, Jr. Avenue SW, Suite 134, Washington, DC, 20032
202-279-3404 202-279-3410
CORPORATE OFFICES
1512 Good Hope Road SE, Washington, DC, 20020 - 202-678-6700 - FAX 202-678-6703
3711 LaDova Way, Springdale, MD 20774 - 301-341-9100 - FAX 301-341-9103
e-mail: imtonit@aol.com

Board of Zoning Adjustment
District of Columbia
CASE NO.16963
EXHIBIT NO.33

Applicants Burden of Proof for Special Exception Applications

1(a). **The physical characteristics of the property will not be changed.**

The property will be utilized as is. However, the property owner's can no longer utilize the vacate space for the original purpose of the zoning use. The said property was originally used as an emergency room area in Hadley Memorial Hospital. The emergency room space is no longer needed by the owner because the Facility now operates as a Skilled Nursing Facility and the emergency services have been terminated.

1(b). Toni Thomas Associates, Inc. will utilize the property consistent with the current Zoning Regulation title number 206.1 which includes use as a school and shall be permitted as a special exception if approved by the Board of Zoning.

2. Granting this application will not be of substantial detriment to the public good.

The private school will have no effect on traffic, noise, and or lighting in the neighborhood. The space is located in the rear of the Nursing Facility and away from the main stream traffic to and from the facility as well as the surrounding neighborhood. Services provided are passive and will not encourage disruptive behavior by students. Security guards are on duty at the facility twenty-four hours a day and keep watch on activities inside the building as well as in the parking lots. This also promotes safety and security in the neighborhood

The Academy's operations will not adversely affect the use of the neighboring property. All of the private school's activities will be held inside the building and participants will commute to and from classes via public transportation or personal automobile. Access to the bus line is directly in front of the property.

3. Granting this application will not be inconsistent with the general intent and purpose of the Zoning Regulations and Map.

The private school will have up to eight (8) instructors and staff personnel and will accommodate no more than sixty students during each eight-week training cycle. Approximately 95% of the students we serve utilize public transportation, thereby minimizing vehicle traffic in the neighborhood. There are a total of 265 parking spaces available at the Facility.

4. How not granting this special exception will cause hardship on the Applicant.

If this application is not granted undue hardship will be experienced by Toni Thomas Associates due to the following:

- Financial hardship will be experienced because the monies spent to establish the contracts driving this operation. Also, the money put down to acquire the space and the cost of installing telephone wiring, and computer cabling in preparation for use.
- Hardship due to lack of resources to include the fact that there are no other sites in the neighborhood which could be utilized without substantial cost for build out, etc.
- Hardship due to inconvenience for students to have to travel outside of the community in order to receive services should the site be relocated.