GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR

July 2, 2009

Paul Tummonds
Pillsbury
2300 N Street, NW
Washington, DC 20037

Re: BZA Order No. 17147 -- 5608 Broad Branch Road, NW
Confirmation of Period of Approval for Child Development Center Use by Broad Branch Children's House

Dear Mr. Tummonds:

This letter confirms that the five year term of approval for the child development center use approved by BZA Order No. 17147 starts to run from the date that the child development center use started on the 5608 Broad Branch Road, NW property, not the date that the Board approved BZA Application No. 17147.

On April 20, 2004, the Board of Zoning Adjustment held a hearing regarding an application seeking approval for the renovation and reconfiguration of an existing neighborhood market, and approval for the establishment of a child development center at 5608 Broad Branch Road, NW (Square 1997, Lot 78). This application was known as BZA Application No. 17147. Advisory Neighborhood Commission 3G submitted a letter in support of the application. The BZA approved Application No. 17147 on May 4, 2004 and issued a summary order. One of the conditions of BZA Order No. 17147 is that "Approval of the Child Development Center (Center) use shall be for a period of **FIVE (5) YEARS**."

It is my understanding that Broad Branch Children's House obtained a license to operate a child development facility from the District of Columbia Department of Health, Health Regulation Administration in August of 2009 and that BBCH began operation of a child development center at the 5608 Broad Branch Road, NW property on August 26, 2009. On January 8, 2009, Broad Branch Children's House obtained a Certificate of

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Occupancy, in its own name, authorizing this use (CO0900888). This Certificate of Occupancy noted that it was to expire on May 4, 2009 per BZA Order No. 17147.

I find that it was the clear intent of the BZA to have the five year period run from the date a child development center use was established on the site. The rationale being that the five year period of approval established by the BZA is to determine whether the child development center creates any adverse effects on the community. This can only be accomplished once the use is in operation.

Therefore, the five year term imposed by condition number one in BZA Order No. 17147 started to run on August 26, 2008 and a child development center use is permitted to occur on the 5608 Broad Branch, NW property until August 26, 2013, pursuant to BZA Order No. 17147. It is my understanding that representatives of Broad Branch Children's House will now submit an application to amend Certificate of Occupancy No. CO0900888 to reflect the correct expiration date (August 26, 2013), and my office will approve such an application, subject to conformance to all other applicable District regulations.

Please feel free to contact me if you have any questions regarding the issues addressed in this letter.

Respectfully, Matthew Z. Le Grant
Matthew Le Grant

cc: Josh Oboler, Broad Branch Children's House

Filename: Determination Lt re 5608 Broad Branch Rd to Tummonds 7-2-09