# STATEMENT OF BURDEN OF PROOF FOR SPECIAL EXCEPTION RELIEF

Bloom Builders, Inc. (the "Applicant" or "Bloom Builders") requests special exception relief pursuant to 11 DCMR §205 for the establishment of a child development center to be located at 5608 Broad Branch Road. N.W., Lot 78 in Square 1997, (the "Property"). Section 205 of the Zoning Regulations permits a child development center use as a special exception in residential districts provided certain requirements are met. The Applicant is entitled to special exception relief because it can satisfy all the provisions set forth in Section 205.

**Section 205.2: The Center Shall be Capable of Meeting All Applicable Code and Licensing Requirements**

All Saints' All Day Child Care Center Inc. ("ASAD") will be the operator of the child development center. ASAD has seven other locations in Chevy Chase, Bethesda, and Silver Spring, Maryland, and has been in continuous operation as a licensed child development center since 1976. The existing locations meet all the licensing requirements.

The proposed child development center on the Property will also meet all applicable code and licensing requirements. The ASAD child development center will have a maximum of 60 children on the Property at any time and a maximum of 8 staff members on the Property at any one time.

**Section 205.3: The Center Shall be Located and Designed to Create No Objectionable Traffic Conditions and No Unsafe Condition for Picking Up and Dropping Off of Children.**

The Applicant will implement the following measures to ensure that there will be no objectionable or unsafe traffic conditions:

- Staggered drop off times in the morning to reduce the number of cars that will come to the Property at any one time; and

BZA
Case No. 17147
Exhibit No. 6

Board of Zoning Adjustment
District of Columbia
CASE NO. 17147
EXHIBIT NO. 6

- Development of a traffic management plan ("TMP").

**Section 205.4 The Center Shall Provide Sufficient Off-Street Parking Spaces to Meet The Reasonable Needs of Teachers, Other Employees and Visitors.**

As required by the Zoning Regulations, the Applicant will provide two parking spaces on the Property for use by ASAD staff and employees.

**Section 205.5 The Center, Including Any Outdoor Play Space Provided, Shall Be Located and Designed so That There Will Be No Objectionable Impacts on Adjacent or Nearby Properties Due to Noise or Activity, Or Visual or Other Objectionable Conditions.**

There will be no objectionable impacts on adjacent or nearby properties. The proposed play area will be appropriately buffered from nearby properties.

**Section 205.6 The Board May Require Special Treatment in the Way of Design, Screening of Buildings, Planting and Parking Areas, Signs, or Other Requirements as it Shall Deem Necessary to Protect Adjacent and Nearby Properties.**

No special treatment is required. The Property is of significant size that the location of the child development center, the parking area, and the proposed play area will not create objectionable impacts on nearby properties.

**Section 205.7 Any Off-Site Play Area Shall be Located So as Not to Result in Endangerment to the Children.**

ASAD does not intend to use an off-site play area.

**Section 205.8 The Board May Approve More Than One (1) Child Development Center in a Square or Within 1000 Feet of Another Only When The Board Finds Certain Conditions Have Been Met.**

The Applicant is not aware of any other child development center within the square or within 1000 feet.