BURDEN OF PROOF

In 1994, Aidan Montessori School ("Applicant") purchased a building at 2700 27th Street, NW ("Subject Property") that had been formerly occupied by Thomas the Apostle School. The school was approved in BZA Order 7184 which limits the enrollment to 240 students. In early 1995, the Applicant met with the community about Aidan's proposed use of the property. After a series of discussions, the Applicant, the Woodley Park Community Association and Advisory Neighborhood Commission 3C entered into an Agreement dated June 16, 1995, to limit the total enrollment at the school to 180 students. The Agreement also required the Applicant to apply to the Board of Zoning Adjustment to limit the maximum enrollment of the school to 180 students within thirty-six months of obtaining the certificate of occupancy for the school.

Certificate of Occupancy No. 61327 authorizing the use of the building by Aidan for 180 students was issued on September 3, 2003. As required by the agreement, the Applicant is now seeking Board of Zoning Adjustment approval to modify BZA Order No. 7184 to reduce the maximum enrollment permitted by the BZA order.

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BZA
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Exhibit No. 5

Board of Zoning Adjustment
District of Columbia
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