

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



November 1, 2017

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Matthew Le Grant *MLG*
Zoning Administrator *WAB*

THROUGH: Shawn Gibbs
Zoning Technician

SUBJECT: **Child Development Center with 30 Children and Six Staff in the R-2 Zoning District.**
Location: 4628 H St SE
Square, Suffix, Lot: Lot 0328 in Square 5359
Zone: R-2
DCRA Building Permit #: CO1800173

Review of the Certificate of Occupancy Application for the subject property referenced above indicates that Board of Zoning Adjustment approval is required as follows:

1. Special Exception pursuant to U, 203.1 (g) to allow a Child Development Center with 30 Children and six (6) staff to operate at the subject property (X, 901.2).

Note: All applicants must provide the Office of the Zoning Administrator with submission verification, in the form of a formal receipt from the BZA, within 30 days of the date of this memo.

1100 4th Street, SW 3rd Floor Washington, D.C. 20024
Phone: (202) 442-4576 Fax: (202) 442-4871

Board of Zoning Adjustment
District of Columbia
CASE NO.19668
EXHIBIT NO.6



DEPARTMENT OF CONSUMER & REGULATORY AFFAIRS

Certificate of Occupancy Application

Disclaimer: Erasing, crossing out, or otherwise altering any entered information will void this application. The application fee is non-refundable. The issuance fee is based on the square footage of the premises for which the C of O is being requested. DCRA does not accept applications and payments that are mailed. Such submittals will be returned. For information to assist in completing this application, please review the Certificate of Occupancy Application Instructions and General Information.

APPLICATION DATE: October 13, 2017 C of O NUMBER: CO1800173

INFORMATION ON THE BUILDING/PROPERTY

- Property Address: 4628 H. St. SE Washington DC 20019
- Building/Property Owner's Name: Victoria Mantal
- Phone: 2-504-7334 Email: Vicman1@comcast.net
- Property Square: 5359 Suffix: _____ Lot: 328
- Number of Floors of Entire Building: 2 floors, basement
- Zone: R2

APPLICANT INFORMATION

- Applicant's Name (see instructions): Victoria Mantal
- Trade Name of Business (if applicable): Mantal Science & Technology Center
- Applicant's Mailing Address: 4628 H. St. SE Washington DC
- Applicant's Day Phone #: 2-504-7334 Cell #: 202-213-8884 Email Address: Vicman1@comcast.net

INFORMATION ON PREMISES/ OCCUPANCY

- Select one: New Building Ownership Change Use Change Occupant Load Change Revision
 Establish New Occupancy Conditional Temporary Completion of Core and Shell
- Proposed Use of Premises: Childcare Center
- Prior Use of Premises: Childcare Center Prior C of O #: CO1300412
- Proposed Occupancy Load: 22
- Area Occupied by Proposed Use (Gross floor area): 1 floor 2nd floor basement (sq. ft.)
- List floors of the building to be occupied by proposed use: 3000 ↑ ↓
- Does your business sell or rent any goods or provide any services that could be described as sexually oriented? Yes No (If yes, please fill out the appropriate supplemental form.)
- Is your business a Medical Marijuana Dispensary or Production Facility? Yes No
- Was this use approved by an order of the BZA or ZC? Yes No
If yes, provide order # and date of approval: 18433
- Is there a building permit associated with this application? Yes No
If yes, provide building permit #: _____

OFFICIAL DCRA USE ONLY

C of O #: CO1800173 Premises Address: 4628 H Street, SE

PERMIT REVIEW COORDINATOR

Checked items #1-9 for completeness: ✓

Approved by: Jim Date: 10-13-17

ZONING INFORMATION

BZA or ZC # (If applicable): _____

Prior C of O # (If applicable): 0300412 - 1/30/12

Prior use on above C of O: HILL DEVELOPMENT CENTER

ZONING REVIEWER

Zone: R-2 Continuation of prior use? Yes No

Use Allowed? Yes No Provide Zoning Code Use: HILL DEVELOPMENT CENTER

Cite Zoning Section #: SUBTITLE C, 203.1(b)

Off-street Parking Required? Yes No If yes, number of spaces required: _____

If no, was a waiver granted? Yes No Parking credit? Yes No

BZA relief obtained? Yes No Describe: _____

Is a zoning inspection required? Yes No

If yes, describe: _____

Approved by: _____ Date: _____

ENGINEERING REVIEW AND APPROVAL

Prior building permit applicable? Yes No Building permit #: _____

New building permit required? Yes No

Construction Code Inspections for the proposed use: _____

_____	_____	_____	_____
Building (715)	Electrical (720)	Plumbing/Mechanical (730/725)	Fire (750)

Approved by: _____ Date: _____

GREEN REVIEW

Green Building Financial Security required? Yes No N/A

If applicable, check box of chosen path: Green Bond Binding Pledge Line of Credit Escrow

All Green Inspections complete? Yes No N/A

If applicable, Green Code documentation provided? Yes No N/A

Construction and Site Waste Management: Yes No N/A

Preliminary Commissioning Acknowledgement: Yes No N/A

**Government of the District of Columbia
Department of Consumer and Regulatory Affairs**

1100 4th Street SW
Washington DC 20024
(202) 442 - 4400
dcra.dc.gov



C OF O

CERTIFICATE OF OCCUPANCY

PERMIT NO. CO1300412

Issued Date: 11/30/2012

Address: 4628 H ST SE		Zone: R-2	Ward: 7	Square: 5359	Suffix:	Lot: 0328
Description of Occupancy: CHILD DEVELOPMENT CENTER FOR THIRTY (30) CHILDREN, AGES 2 MONTHS TO 6 YEARS WITH SIX (6) STAFF (BZA#18433 TO EXPIRE 11/15/2017).						
Permission Is Hereby Granted To: Manley Science And Technology Center LLC		Trading As: MANLEY SCIENCE AND TECHNOLOGY CENTER	Floor(s) Occupied BASEMENT, 1ST & 2ND	Occupant Load: 36 No. of Seats		
Property Owner: VICTORIA MANLEY		Address: 4628 H ST SE WASHINGTON, DC 20019-4940	BZA/PUD Number: 18433	Occupied Sq. Footage: 3000		
Building Permit Number (if applicable) B0908150		Type of Application: Load Change	Approved Building Code Use Other (Specify): Approved Zoning Code Use: Child development center			
<p>Conditions/ Restrictions: APPROVED WITH CONDITIONS AS PER BZA ORDER 18433.</p> <p>THIS CERTIFICATE MUST ALWAYS BE CONSPICUOUSLY DISPLAYED AT THE ADDRESS MAIN ENTRANCE, EXCEPT PLACES OF RELIGIOUS ASSEMBLY. Use complies with DCMR Title 11 (Zoning) and Title 12 (Construction).</p> <p>As a condition precedent to the issuance of this Certificate, the owner agrees to conform with all conditions set forth herein, and to maintain the use authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all spaces whose use is authorized by this Certificate and to require any changes which may be necessary to ensure compliance with all the applicable regulations of the District of Columbia.</p>						
Director (Code Official): Nicholas A. Majett <i>Nicholas Majett</i>		Permit Clerk Keith Slade	Expiration Date: 11/15/2017			
11/30/2012 TO REPORT WASTE, FRAUD OR ABUSE BY ANY DC GOVERNMENT OFFICIAL, CALL THE DC INSPECTOR GENERAL AT 1-800-521-1639						



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



AUG 27 2012

Victoria Manley
4628 H Street, S.E.
Washington, D.C. 20019

Re: BZA Application No. 18433

Dear Ms. Manley,

Your application has been accepted as complete. You are hereby notified to appear before the Board of Zoning Adjustment (Board) on Tuesday, November 6, 2012, at 441 4th Street, N.W., Suite 220 South, Washington, D.C., 20001 for a public hearing concerning the following application:

Application of Victoria Manley, pursuant to 11 DCMR § 3104.1, for a special exception for a child development center (30 children and 6 staff) under section 205, in the R-2 District at premises 4628 H Street, S.E. (Basement, First and Second Floors) (Square 5359, Lot 328).

The property involved in this application is located within the boundaries of Advisory Neighborhood Commission 7E. This application will be heard between 9:30 a.m. and 12:00 p.m.

PLEASE NOTE THAT A SIGN(S) MUST BE OBTAINED FROM THE OFFICE OF ZONING TO BE POSTED ON THE PROPERTY. The Board's Rules of Practice and Procedure (11 DCMR §§ 3113.14 through 3113.20) provides that the notice sign must be posted at least 15 days prior to the hearing. The posted notice must also be checked at least once every five days, and replaced when necessary. An affidavit concerning the original posting of the sign must be filed with the Board at least 5 days prior to the hearing. The sign and the affidavit should be picked up from the Office of Zoning, Suite 200 South, 441 4th Street, N.W., Washington, D.C. 20001. Please call the Office of Zoning in advance to order your sign(s) to assure that the sign(s) will be ready when you come to pick them up.

You should be aware that letters and other documents may be submitted to the Board by other individuals, organizations and government agencies both in support of and in opposition to your application. At least one week prior to the public hearing, you should review the file in your application so that you are prepared to respond to any issues that may be raised regarding your case.

441 4th Street, N.W., Suite 200/210-S, Washington, D.C. 20001

Telephone: (202) 727-6311

Facsimile: (202) 727-6072

E-Mail: dcoz@dc.gov

Web Site: www.dcoz.dc.gov

BZA APPLICATION NO. 18433

Further, if you are not clear about what information you must present to the Board in support of your application, please contact the Office of Zoning as soon as possible. If you have any questions or require any additional information, please call the Office of Zoning at (202) 727-6311.

SINCERELY,

A handwritten signature in black ink, appearing to read "R. Nero, Jr.", written in a cursive style.

RICHARD. S. NERO, JR.
Deputy Director of Operations
Office of Zoning

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



Application No. 18433 of Victoria Manley, pursuant to 11 DCMR § 3104.1, for a special exception for a child development center (30 children and 6 staff) under section 205, in the R-2 District at premises 4628 H Street, S.E. (Basement, First and Second Floors) (Square 5359, Lot 328).

HEARING DATE: November 7, 2012
DECISION DATE: November 7, 2012

SUMMARY ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The application was accompanied by a memorandum from the Zoning Administrator certifying the required relief. (Exhibit 5.)

The Board of Zoning Adjustment ("Board") provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register*, and by mail to Advisory Neighborhood Commission ("ANC") 7E and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 7E, which is automatically a party to this application. ANC 7E submitted a report in support of the application. (Exhibit 39.) The Office of Planning ("OP") also submitted a report recommending approval of the application (Exhibit 40.) A report filed by the District Department of Transportation stated that it has no objection to the application. (Exhibit 38.)

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception relief under § 205. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 205, that the requested relief can be granted, being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that

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BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18433

EXHIBIT NO. 44

Board of Zoning Adjustment
District of Columbia
CASE NO. 18433
EXHIBIT NO. 44

BZA APPLICATION NO. 18433

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YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

PURSUANT TO 11 DCMR § 3205, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.