

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



BZA Application No. 20301
The Church of the Pilgrims, LLC
2201 P Street, NW (Square 2510, Lot 827)

HEARING DATE: June 18, 2025
DECISION DATE: June 18, 2025

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to permit a child development center for 74 children and 18 staff, in an existing, detached, two-story with basement, religious building:

- Special Exception under the daytime care use requirements of Subtitle U § 203.1(h), pursuant to Subtitle X § 901.2

The zoning relief requested in this case was self-certified. (Exhibit 12.)

PRIOR APPLICATIONS. The Board has approved several applications for childcare/daytime care uses at the property since 1964, including Order Nos. 8017, 10060, 14172, 14518, 15534, 18079, and 18079-A. The most recent Order No. 18079-B was approved in 2015 for 74 students and 18 staff and subject to several conditions including a ten year term limit.

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 2B and 2D, the "affected ANCs" pursuant to Subtitle Y §§ 101.8 and 403.5(b) of the Zoning Regulations (Title 11 of the DCMR, Zoning Regulations of 2016, to which all references are made unless otherwise specified).

NOTICE OF THE APPLICATION AND PUBLIC HEARING. The Board of Zoning Adjustment (the "Board") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

ANC REPORT. ANC 2B report's indicated that at a regularly scheduled, properly noticed public meeting on May 14, 2025, at which a quorum was present, the ANC voted to support the application. (Exhibit 23.) The ANC report raised no issues or concerns.

ANC 2D report's indicated that at a regularly scheduled, properly noticed public meeting on April 22, 2025, at which a quorum was present, the ANC voted to support the application. (Exhibit 19.) The ANC report raised no issues or concerns.

Board of Zoning Adjustment

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District of Columbia
CASE NO.21301
EXHIBIT NO.31

OFFICE OF PLANNING (“OP”) REPORT. OP submitted a report recommending approval of the application. (Exhibit 24.)

DISTRICT DEPARTMENT OF TRANSPORTATION (“DDOT”) REPORT. DDOT submitted a report indicating that it had no objection to the application because it concluded that the relief would not result in any adverse impacts to the District’s transportation network. (Exhibit 26.)

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION (“OSSE”) REPORT. OSSE submitted a memorandum recommending approval of the application. (Exhibit 21.)

PUBLIC COMMENTS. The Board received a letter from Paul and Ellen Hoff regarding concerns about trash storage and rodents. (Exhibit 28.)

CONCLUSIONS

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested special exception relief can be granted because:

- It is in harmony with the general purpose and intent of the Zoning Regulations and Map;
- It will not tend to affect adversely the use of neighboring property; and
- Pursuant to Subtitle X § 901.2(c), the relief satisfies the specified conditions for special exception relief.

DECISION

Based on the case record and the testimony at the hearing, the Board concludes that the applicant has satisfied the burden of proof for the requested relief:

- Special Exception under the daytime care use requirements of Subtitle U § 203.1(h), pursuant to Subtitle X § 901.2

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibit 6 of the record, as required under Subtitle Y §§ 604.9 and 604.10, subject to the following **CONDITIONS**:

1. The Applicant’s enrollment shall be limited to 74 children, ages 12 months to six years; and staff shall be limited to a maximum of 18 persons at any one time.

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2. The Applicant's days and hours of operation shall not exceed Monday through Friday, 8:00 am to 6:00 pm.
3. The Applicant shall implement the pickup/dropoff plan as shown in Exhibit 2, including the "right turn only" sign onto Florida Avenue, NW.
4. The Applicant shall maintain in good condition the fence around the property and do all that is possible to limit any infringement on neighboring properties.
5. The Applicant shall provide commercial trash and garbage collection.
6. The Applicant shall designate a school employee to be an on-site traffic monitoring coordinator to ensure the safe pick-up and drop-off of children and to resolve any traffic flow issues and concerns, as may be appropriate.

VOTE: 4-0-1 (Frederick L. Hill, Carl H. Blake, Chrishaun S. Smith, and Anthony J. Hood to APPROVE; one Board seat vacant)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

ATTESTED BY:


SARA A. BARDIN
Director, Office of Zoning

FINAL DATE OF ORDER: June 24, 2025

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.2, THIS ORDER SHALL NOT BE VALID FOR MORE THAN SIX MONTHS, UNLESS THE USE APPROVED IN THIS ORDER IS ESTABLISHED WITHIN SUCH SIX-MONTH PERIOD.

PURSUANT TO 11 DCMR SUBTITLE A § 303, 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

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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.