



PROMOTING LOVE & WISDOM CHILDCARE- 202-455-9081

Date: October 15, 2018

Business Name: Promoting Love & Wisdom Childcare, LLC (PLWHCC)

Home Address: 508 60th Street NE Washington, DC 20019

Subject: See *Burden of Proof*

Owner: LaTrell S. Duncan

The burden of proof of Promoting Love & Wisdom Childcare, LLC is located at 508 60th Street NE Washington, DC 20019 is requesting a special exception standard of **U-251.1** Business support and technology services; (b) The following daytime care uses: (1) Child development home, provided no more than two (2) persons who are not a resident of the dwelling unit shall be engaged or employed in the child development home; (2) Expanded child development home for between seven (7) and nine (9) individuals fifteen (15) years of age or less; provided. No more than three (3) persons who are not a resident of the dwelling unit shall be engaged or employed; (B) A minimum of thirty-five square feet (35 sq. ft.) of floor area per individual is provided including the basement but excluding any accessory structure shall be utilized for the expanded child development home; and (C) No more than three hundred and twenty square feet (320 sq. ft.) of the floor area of the dwelling including the basement but excluding any accessory structure shall be utilized for the expanded child development home; (3) Expanded child development home for ten (10) to twelve (12) individuals fifteen (15) years of age less may be permitted as a special exception by the Board of Zoning Adjustment under Subtitle X and subject to the provisions of Subtitle U § 251.6; provided a minimum of thirty-five square feet (35 sq. ft.) of floor area per individual is provided including the basement but excluding any accessory structure; Breakfast shall be the only meal served, and served only to overnight guests; (4) The maximum number of sleeping rooms shall be two (2), except: (A) **Pursuant to Subtitle U § 251.6(b)**, the maximum number of sleeping rooms may be increased to four (4); or, in a dwelling that is an historic landmark, or that is located in a historic

district and certified by the Historic Preservation Office as contributing to the character of that historic district, the number of sleeping rooms may be increased to six (6); and (B) The number of sleeping rooms permitted as a matter of right or as a special exception as set forth in this paragraph shall be reduced by one (1) for each person who rooms or boards in the dwelling for thirty (30) days or longer; (5) No cooking facilities shall be permitted in any of the rented rooms; and (6) In addition to the required parking for the dwelling unit, one (1) parking space shall be provided for each two (2) sleeping rooms devoted to guest use; Sales, subject to the following conditions: (1) Items sold are directly associated with the home occupation; (2) Five (5) sales in the nature of yard sales, garage sales, or home sales parties may be held at a dwelling as a matter of right during a twelve-month (12-month) period; one (1) additional sale for a total of six (6) may be permitted if approved by the Board of Zoning Adjustment pursuant to **Subtitle U § 251.6**; and (3) General retail sales or sales to customers without appointments shall not be permitted; (m) Tutoring and instruction of not more than five (5) students at any one (1) time, including academic tutoring, dance, languages, culinary arts, and musical instrument and similar activities; and **Subtitle U-20**

(n) A home occupation may be permitted in an accessory apartment subject to the following limitations: (1) There shall be no more than six (6) visitors or clients per day; (2) There shall be no related sales; and (3) There shall be no lodging or overnight stays as part of the home occupation. **251.2** A Home Occupation Permit (HOP) shall be required prior to the practice of a home occupation and subject to the following requirements: (a) A HOP shall be obtained by the practitioner; (b) A HOP shall be granted only to a designated person or group of persons who reside at a residential address; (c) A HOP may not be transferred from one (1) person to another or from one (1) address to another; (d) A HOP shall require evidence of the property owner's concurrence for any HOP that involves employees, clients, customers or other non-residents to attend the property; (e) A HOP shall be issued without a public hearing if the requirements of this subsection are met, or after a public hearing by the Board of Zoning Adjustment pursuant to **Subtitle U § 251.6 and Subtitle X**; (f) If the Zoning Administrator determines that an application for a HOP appears to meet the conditions of this chapter, but is inconsistent with the general purpose and intent of this section, the Zoning Administrator may certify the application to be decided as

an appeal by the applicant to the Board of Zoning Adjustment; and (g) In making the determination to refer the HOP to the Board of Zoning Adjustment, the Zoning Administrator may consider, but not be limited to, the cumulative impact of one (1) or more home occupations. **251.3** A home occupation shall comply with the following conditions and requirements: (a) A home occupation shall be clearly secondary to the use of a dwelling unit for residential purposes; (b) Except for lodging, and as provided in **Subtitle U §§ 251.1(b) and 251.1(f)**, no more than the larger of two hundred fifty square feet (250 sq. ft.) or twenty-five percent (25%) of the floor area of the dwelling excluding basement or any accessory structure, shall be utilized for the home occupation; (c) All materials or finished products shall be stored within the floor area utilized for the home occupation or in a basement or accessory structure; (d) Except as provided in **Subtitle U § 251.1(b)**, in no case shall more than two (2) persons who are not residents of the subject dwelling unit be permitted as employees of the home occupation except for the home office of a physician or dentist; (e) No interior structural alteration shall be permitted if it would make it difficult to return the premises to a use that is exclusively residential; (f) No operations related to the home occupation shall be conducted outside a structure, nor shall any storage or other unsightly condition be permitted outside a structure; (g) No equipment or process shall be utilized that creates visual or audible electrical interference in television or radio receivers outside the subject home, or that causes fluctuations in line voltage outside the subject home; (h) The use shall produce no noxious odors, vibrations, glare, or fumes that are detectable to normal sensory perception outside the subject home; (i) The use shall not produce a level of noise that exceeds the level normally associated with the category of dwelling or the immediate neighborhood; (j) No more than two (2) vehicles may be used in the practice of the home occupation; (k) Except for child development homes and expanded child development homes, vehicular trips to the premises by visitors, customers, and delivery persons shall not exceed eight (8) trips daily on a regular and continuing basis; (l) Except for child development homes and expanded child development homes, the practitioner shall have no more than eight (8) clients or customers on the premises in any one (1) hour period; (m) If more than one (1) home occupation is practiced in a dwelling unit, the cumulative impact of all such home occupations shall not exceed any of the standards set forth in this chapter; and (n)

The dwelling unit owner and the practitioner shall maintain the residential character and appearance of the dwelling unit and lot. A sign on a dwelling or building in which a home occupation is practiced shall be permitted, subject to the following conditions: (a) No more than one (1) exterior sign may be displayed on a dwelling or other building in which a home occupation is practiced, regardless of the number of home occupations permitted in the dwelling or building; (b) The sign shall not exceed one hundred forty-four square inches (144 sq. in.) in area; (c) The sign shall be flush-mounted; (d) The sign shall not be illuminated; and (e) The sign may state only the name of the practitioner and the type of home occupation.

251.5 Except as explicitly permitted by Subtitle U § 251.1, the following uses categories are prohibited as home occupations: (a) Animal sales, care, and boarding; (b) Entertainment, assembly, and performing arts; (c) Firearms sales; (d) Motor vehicle sales, service, or repair; (e) Production, distribution, and repair; (f) Retail sales; (g) Sexually-based business establishment; and (h) Waste-related services.

251.6 A home occupation that is not permitted or is prohibited in this chapter may be permitted as a special exception by the Board of Zoning Adjustment under Subtitle X, subject to the following conditions: (a) The proposed use and related conditions shall be consistent with the purposes of this chapter and shall generally comply with the requirements of Subtitle U §§ 251.1 through 251.4, subject to specific findings and conditions of the Board of Zoning Adjustment in each case; (b) An applicant for a home occupation that is permitted by Subtitle U § 251.1 may request the Board of Zoning Adjustment to modify no more than two (2) of the conditions enumerated in Subtitle U §§ 251.3 and 251.4; In no case shall more than two (2) persons who are not residents of the subject home be permitted as employees of the home occupation, and those persons shall not be co-practitioners of the profession; (d) Any request to modify more than two (2) of the requirements found in Subtitle U §§ 251.3 and 251.4 shall be deemed a request for a variance; and (e) In considering any request for approval under this section, the Board of Zoning Adjustment shall determine that the request is consistent with the general purposes and intent of this chapter and may impose conditions relating to operating conditions of the home occupation, parking, screening, or other requirements as it deems necessary to protect adjacent and nearby properties consistent with the general purpose and intent of this chapter.

I (LaTrell Duncan-Fitchett) have informed Mary Gaffney ANC 7C05 of the changes of the daycare and it is on the ANC calendar for the next meeting scheduled for November 8, 2018 if it is approved by the DC Office of Zoning. The purpose of the program (PLWHCC) is to actively engage and help reduce youth violence by helping to connecting the dot (s). This expansion from 9 children to 12 would involve using multiple prevention strategies that address the many individual, relationship, community, and societal factors that influence the likelihood of violence. Prevention efforts should ultimately reduce risk factors and promote protective factors at these multiple levels of saving 3 more families and educating through science, technology, engineering and math. Most of the parents that have been targeted are hard working families, that are in abusive, gun and domestic violence environments that are trying to make ends meet. These are families that have a great need for a healthy enrichment program that will take the negative experiences that they are faced with daily and turned those experiences into positive safe environments. Our services are designed to meet a range of needs for a range of family economic circumstances and needs. In this Targeted Area Ward 7 DC, PSA 602 the impact from this expansion will provide more job opportunities through the partnership of Department of Employment Services and allow more Subsidy slots, the children in the community will be able to discover how things work, build problem solving skills, learn math and science while having fun and exploring engineering and increasing their awareness of health and wellness. PLWHCC will accept a total of (12) more children slots through the Non-Traditional Hours of service that is being offered 7:00am-6:00am having a Safe Haven

508 60TH STREET NE WASHINGTON, DC 20019



front yard



backyard



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