



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; PLWHCC's use of the property will remain secondary to its primary purpose as a residence. (b) Except for lodging, and as provided in **Subtitle U §§ 251.1** PLWHCC will provide childcare services between the hours of 7:00am-6:00am Monday-Friday(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; PLWHCC will only utilized no more than the larger of two hundred fifty square feet (250 sq.ft.) or twenty-five percent (25%) of the floor area (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; PLWHCC will store all materials or finished products within the floor area

utilized for the home occupation(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; PLWHCC will not allow persons to be employees who are not DC residents under the home occupation of the dwelling(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; PLWHCC will not alter the dwelling and make it difficult for the premises to return to an exclusively residential dwelling(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; PLWHCC will not operate any related home occupation be conducted outside the structure nor any storage(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; PLWHCC will not create any visual or audible electrical interference in television or radio that will cause fluctuations in line voltage outside the structure of the premises(h) The use shall produce no noxious odors, vibrations, glare, or fumes that are detectable to normal sensory perception outside the subject home; PLWHCC will not produce any noxious odors, vibrations, glare or fumes outside of the 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; PLWHCC will not produce a level of noise that will disturb the neighbors(j) No more than two (2) vehicles may be used in the practice of the home occupation; PLWHCC will not use no more than two vehicles 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. PLWHCC will

only allow for vehicular trips to the premises by visitors, customers and delivery persons will not exceed eight persons at one given time (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. PLWHCC will not exceed the standards that are set forth in this chapter and 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; PLWHCC will only have one sign displayed on the dwelling according to the standards of the home occupation (b) The sign shall not exceed one hundred forty-four square inches (144 sq. in.) in area; PLWHCC sign will not exceed one hundred forty-four square inches (144 sq.in.) and will be flush-mounted and will not be illuminated (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. PLWHCC will only state the name of the daycare 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. PLWHCC use of the home

occupation is to provide only childcare services and not to provide any uses under the code of U251.5. **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.

PLWHCC is requesting for an approval for codes under the section, Board of Zoning Adjustment U251.1, U251, U251.4 and U251.6 for an Expanded Home Daycare with the general purposes and intent of this chapter to the operating conditions of home occupation, parking, screening or other requirements as it deems necessary to protect adjacent and nearby properties in the neighborhood. 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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