GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 16274 of the National Cathedral Elementary School (Beauvior), pursuant to 11 DCMR 3108.1 for special exceptions under Sections 205 and 206 for an addition to an existing private school in a R-1-B District at premises 3500 Woodley Road, N.W. (Square 1944, Lot 25).

HEARING DATE: **November 5, 1997**
DECISION DATE: **November 5, 1997 (BENCH DECISION)**

SUMMARY ORDER

This case was originally advertised to request special exceptions pursuant to 11 DCMR Sections 205 and 206. However, the application was amended to delete relief under Section 205 because the applicant is not operating a child development center.

The Board provided proper and timely notice of public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 3C and to owners of property within 200 feet of the site.

The site of the application is located within the jurisdiction of ANC 3C. ANC 3C, which is automatically a party to this application, submitted a written statement of issues and concerns in support of the application.

As directed by 11 DCMR Section 3324.2, the Board has required the applicant to satisfy the burden of providing the elements which are necessary to establish the case for a special exception pursuant to 11 DCMR Section 206. No person or entity appeared at the public hearing in opposition to this application or otherwise requested to participate as a party in this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. It is therefore **ORDERED** that this application be **GRANTED, SUBJECT** to the following **CONDITIONS:**

1. The number of students shall not exceed 400.

2. The number of faculty and staff shall not exceed 85.

BZA
CASE No. 16274
EXHIBIT No. 39

Board of Zoning Adjustment
District of Columbia
CASE NO.16274
EXHIBIT NO.39

Pursuant to 11 DCMR Section 3301.1, the Board has determined to waive the requirement of 11 DCMR Section 3331.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is appropriate in this case.

VOTE: 3-0 (Betty King, Susan Morgan Hinton, and Sheila Cross Reid, to grant; Laura M. Richards not present, not voting)

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

ATTESTED BY: Madeliene H. Dobbins
MADELIENE H. DOBBINS
Director

FINAL DATE OF ORDER: DEC 8 1997

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF TWO YEARS, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

Ord16274/JAN/amb

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA APPLICATION NO. 16274

As Director of the Board of Zoning Adjustment, I certify and attest that on DEC 8 1997 a copy of the order entered on that date in this matter was mailed first class, postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

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Advisory Neighborhood Commission 3C
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Washington, D.C. 20008

Attested By: Madeliene H. Dobbins
MADELIENE H. DOBBINS
Director

DATE: DEC 8 1997