GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 15671 of Gallaudet University, pursuant to 11 DCMR 3108.1, for a special exception under Section 211* to revise an approved campus plan (BZA Order No. 13220) through the year 2000 in an area generally bounded by Mount Olivet Road to the north; Corcoran Street and West Virginia Avenue to the east; Florida Avenue to the south, and; 6th Street and Brentwood Parkway to the west in an R-4 District at premises 800 Florida Avenue, N.E., (Square 3591, Parcel 141/69).

HEARING DATE: June 24, 1992
DECISION DATE: June 24, 1992 (Bench Decision)

**SUMMARY ORDER**

The Board duly provided timely notice of public hearing on this application, by publication in the D.C. Register, and by mail to Advisory Neighborhood Commissions (ANCs) 5B, 2C and 6A, and to owners of property within 200 feet of the site.

The site of the application is located within the jurisdiction of ANC 5B. ANC 5B, which is automatically a party to the application, by letter dated June 11, 1992, submitted written issues and concerns in support of the application.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a special exception pursuant to 11 DCMR 211*. No person or entity appeared at the public hearing in opposition to the application or otherwise requested to participate as a party in opposition to 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, and that the requested relief can be granted as in harmony with the general purpose and intent of the Zoning Regulations and Map and will not tend to affect adversely the use of neighboring property in accordance with said Zoning Regulations and Map. It is therefore **ORDERED** that the application is **GRANTED** and the Campus Plan as contained in Exhibit No. 22A of the record is **APPROVED, SUBJECT** to the following **CONDITIONS:**

1. Approval of the Campus Plan shall be for a period of 10 years from the date of the final BZA Order; and

*Section 210 in current Zoning Regulations, September 1991.

ZONING COMMISSION
District of Columbia
Case 03-02
Exhibit 31

ZONING COMMISSION
District of Columbia
CASE NO.03-02
EXHIBIT NO.31

2. The University shall submit to the Board as a special exception each individual request to construct a building pursuant to Section 211*. Along with each request the University shall submit information as to how the particular request complies with the Plan. Such information shall also include a detailed statement as to the effect of the proposed building on the proposed building program, traffic and parking impacts on the proposed main entrances and parking areas, as well as the impact of the proposal on the adjacent neighborhood.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 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 not prohibited by law.

VOTE: 4-0 (Paula L. Jewell, Maybelle Taylor Bennett, Angel F. Clarens and Carrie L. Thornhill to grant; Sheri M. Pruitt not present, not voting).

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

ATTESTED BY: Madeliene H. Robinson
MADELIENE H. ROBINSON
Acting Director

FINAL DATE OF ORDER: JUL 10 1992

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."

*Section 210 in current Zoning Regulations, September 1991.

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

ord15671/LJP

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

**BZA APPLICATION NO. 15671**

As Acting Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on JUL 10 1992 a copy of the order entered on that date in this matter was mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Christopher H. Collins, Esquire
Wilkes, Artis, Hedrick & Lane
1666 K Street, N.W., Suite 1100
Washington, D.C. 20006

Dr. I. King Jordan
Gallaudet University
800 Florida Avenue, N.E.
Washington, D.C. 20002

Doris Droughn
1403 West Virginia Avenue, N.E.
Washington, D.C. 20003

MaryRose Chappelle, Chairperson
Advisory Neighborhood Commission 5-B
1355-57 New York Avenue, N.E.
Washington, D.C. 20002

MADELIENE H. ROBINSON
Acting Director

DATE: JUL 10 1992