Government of the District of Columbia
OFFICE OF ZONING

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MEMORANDUM

TO: Arnold R. Finlayson, Administrator
Office of Documents and Administrative Issuance

FROM: Alberto P. Bastida, AICP
Secretary to the Zoning Commission

DATE: April 8, 2003

SUBJECT: Publication for the Office of Zoning

Please publish the following in the D.C. Register on April 18, 2003:

1. Z.C. Revised Notice of Public Hearing (Case No. 03-09)

R Jai
Received By

4/8/03
Date

Attachments

ZONING COMMISSION
District of Columbia
Case 03-9
Exhibit 6

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ZONING COMMISSION
District of Columbia
CASE NO.03-09
EXHIBIT NO.6

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
REVISED NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Thursday, May 29, 2003, @ 6:30 P.M. (1st Case)**
Office of Zoning Hearing Room
441 4th Street, N.W. - Suite 220
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Case No. 03-09 (Text Amendment – Expansion of § 217)

THIS CASE IS OF INTEREST TO ALL ANCs:

On February 28, 2003, the Office of Zoning received a request from the Office of Planning for a text amendment to Title 11 of the District of Columbia Municipal Regulations, Zoning, § 217. This case was set down on March 10, 2003. The Commission **accepts** the Office of Planning report received on February 28, 2003 as the pre-hearing statement for this case. The proposed text amendment is as follows:

Title 11 DCMR (Zoning), Section 217, NON-PROFIT ORGANIZATIONS (R-1), is amended as follows (additions shown in **bold** and underline):

217 NON-PROFIT ORGANIZATIONS (R-1)

217.1 The use of existing residential **and public school** buildings, and the land on which they are located by a nonprofit organization **or a District government agency** for the purposes of the nonprofit organization **or District government agency** shall be permitted as a special exception in an R-1 District in the following instances if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section:

(a) If the building is listed in the District of Columbia's Inventory of Historic Sites contained in the comprehensive statewide historic preservation survey and plan prepared pursuant to § 101(a) of the National Historic Preservation Act, approved October 15, 1966 (80 Stat. 915, as amended; 16 U.S.C. § 470a), or, if the building is located within a district, site, area, or place listed on the District of Columbia's Inventory of Historic Sites; and

(b) If the gross floor area of the building in question, not including other buildings on the lot, is ten thousand square feet (10,000 ft.^{2}) or greater;

217.2 Use of existing residential **and public school** buildings and land by a nonprofit organization **or a District government agency** shall not adversely affect the use of the neighboring properties.

217.3 The amount and arrangement of parking spaces shall be adequate and located to minimize traffic impact on the adjacent neighborhood.

217.4 No goods, chattel, wares, or merchandise shall be commercially created, exchanged, or sold in the residential **or public school** buildings or on the land by a nonprofit organization **or a District government agency**, except for the sale of publications, materials, or other items related to the purposes of the nonprofit organization **or the District government agency**.

217.5 Any additions to the building or any major modifications to the exterior of the building or to the site shall require the prior approval of the Board. The Board shall refer any proposed additions or modifications to the State Historic Preservation Officer, who acting with the advice of the D.C. Professional Review Committee for nominations to the National Register of Historic Places, shall provide the Board with a report to determine possible detrimental consequences that the proposed addition or modification may have on the architectural or historical significance of the building or site or district in which the building is located.

217.6 Any special exception application made pursuant to this section shall be heard and decided together with any other special exception relief required. The applicant shall have the burden of proving compliance will all applicable special exception requirements, whether stated in this section or elsewhere in this Title. In the event of any inconsistency between the requirements, the most stringent requirement shall govern.

Proposed amendments to the Zoning Regulations and Map of the District of Columbia are authorized pursuant to the Zoning Act of June 20, 1938, (52 Stat. 797), as amended, D.C. Official Code § 6-641.01 (2001), *et seq.*

The public hearing on this case will be conducted in accordance with the provisions of section 3021 of the District of Columbia Municipal Regulations, Title 11, Zoning. Pursuant to that section, the Commission will impose time limits on testimony presented to it at the public hearing.

All individuals, organizations, or associations wishing to testify in this case should file their intention to testify in writing. Written statements, in lieu of personal appearances or oral presentations, may be submitted for inclusion in the record.

Information should be forwarded to the Secretary of the Zoning Commission, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C., 20001. Please include the

number of this particular case and your daytime telephone number. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

CAROL J. MITTEN, ANTHONY J. HOOD, JOHN G. PARSONS, JAMES H. HANNAHAM, AND PETER G. MAY---------- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY ALBERTO P. BASTIDA, AICP, SECRETARY TO THE ZONING COMMISSION.