Government of the District of Columbia
OFFICE OF ZONING

Z.C. CASE NO.: 05-06

As Secretary to the Zoning Commission, I hereby certify that on AUG – 4 2005 copies of this Z C Order No 05-06 were mailed first class, postage prepaid or sent by inter-office government mail to the following

1 *D C Register*

2 Maureen Dwyer, Esq
Shaw Pittman LLP
2300 N Street, N W
Washington, D.C 20037-1128

3 ANC 2E Chair
St John's Episcopal Church
3265 S Street, N W
Washington, D C 20007

4 Brett F Clements, Chair
ANC/SMD 2E04
1419 37th Street, N W PMB#231
Washington, D C 20007

5 Gottlieb Simon
ANC
1350 Pennsylvania Avenue, N W
Washington, D C 20004

6 City Councilmember Jack Evans – Ward 2
Suite 106
1350 Pennsylvania Avenue, N W
Washington, D C 20004

7 Office of Planning (Ellen McCarthy)

8 Ken Laden, DOT

9 Zoning Administrator

10 Office of the Attorney General (Alan Bergstein, Esq)

ATTESTED BY: Sharon S. Schellin
Sharon S. Schellin
Acting Secretary to the Zoning Commission
Office of Zoning

[redacted]
[redacted]
05-06
30

ZONING COMMISSION
District of Columbia
CASE NO.05-06
EXHIBIT NO.30

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ZONING COMMISSION



ZONING COMMISSION ORDER NO. 05-06
Z.C. Case No. 05-06
(Georgetown University – Special Exception to Approved Campus Plan & Further Processing)
June 13, 2005

Application No 05-06 of the President and Directors of Georgetown College and Georgetown University Hospital (the "Applicant"), pursuant to §§ 3104 1 and 210 for an approval of an application for further processing pursuant to a Campus Plan to permit the construction of an addition to the Bles Building of the Georgetown University Hospital at premises 3800 Reservoir Road, N W (Square 1321, Lot 817) The Applicant proposes to use the addition for CyberKnife radiation treatment

HEARING DATE: **May 5, 2005**

DECISION DATE: **June 13, 2005**

SUMMARY ORDER

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113 2

The Commission provided proper and timely notice of the public hearing on this application by publication in the *D C Register*, by mail to Advisory Neighborhood Commission (ANC) 2E, and to owners of property within 200 feet of the site

The campus of Georgetown University is located within the jurisdiction of ANC 2E, which submitted a letter to the Zoning Commission expressing enthusiastic support of the application

As directed by 11 DCMR § 3035 4, the Commission required the Applicant to satisfy the burden of proving the elements of § 210 of the Zoning Regulations, which are necessary to establish the case for a special exception for Universities No persons or parties testified in opposition to the application Accordingly, a decision by the Commission to grant this application would not be adverse to any party

Based upon the record before the Commission, the Commission concludes that the Applicant has met the burden of proof pursuant to 11 DCMR § 210 and that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map The Commission further concludes that granting the requested relief will not tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Map

It is, therefore, **ORDERED** that the application be **GRANTED**

Pursuant to 11 DCMR § 3100 5, the Commission has determined to waive the requirement of 11 DCMR § 3125 3 that findings of fact and conclusions of law accompany the Order of the Commission. The waiver will not prejudice the rights of any party, and is appropriate in this case

VOTE: 3-0-2 (Carol J Mitten, John G. Parsons, and Kevin L Hildebrand to approve, Anthony J Hood, not having participated, not voting, Gregory N Jeffries, not present, not voting)

BY ORDER OF THE D.C. ZONING COMMISSION
Each concurring member approved the issuance of this Order.

ATTESTED BY: _____
JERRILY R. KRESS, FAIA
DIRECTOR, OFFICE OF ZONING

FINAL DATE OF ORDER. AUG - 1 2005

PURSUANT TO 11 DCMR § 3125 6, THIS ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. UNDER 11 DCMR § 3125 9, THIS ORDER WILL BECOME EFFECTIVE TEN (10) DAYS AFTER IT BECOMES FINAL

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO (2) YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE COMMISSION ORDERS OTHERWISE AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED

THE APPLICANT SHALL COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, D C LAW 2-38, AS AMENDED, CODIFIED AS CHAPTER 25 IN TITLE 1 OF THE D.C CODE. *SEE* D C CODE § 1-2531 (1999) THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THE HUMAN RIGHTS ACT THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER OF THE D C CODE SEE D.C CODE § 2-1402 67 (2001) THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THE HUMAN RIGHTS ACT THE FAILURE THE APPLICANT SHALL COMPLY FULLY WITH THE PROVISIONS OF THE HUMAN RIGHTS ACT OF 1977, D.C.LAW 2-38, AS AMENDED, CODIFIED AS CHAPTER 14 IN TITLE 2 OR REFUSAL OF THE APPLICANT TO COMPLY SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER NOTE IN § 2-1401 01 OF THE D C HUMAN RIGHTS ACT THAT IT IS THE INTENT OF THE COUNCIL OF THE DISTRICT OF COLUMBIA, IN ENACTING THIS CHAPTER, TO SECURE AN END IN THE DISTRICT OF COLUMBIA TO DISCRIMINATION FOR ANY REASON OTHER THAN THAT OF INDIVIDUAL MERIT, INCLUDING, BUT NOT LIMITED TO, DISCRIMINATION BY REASON OF RACE, COLOR, RELIGION, NATURAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, AND PLACE OF RESIDENCE OR BUSINESS