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May 19, 2005

VIA HAND DELIVERY

Jerrily R Kress, AIA
Director, Office of Zoning
441 - 4th Street, N W
Suite 220 South
Washington, DC 20001

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Re Zoning Commission Case No 05-11
The George Washington University, Applicant

Dear Ms Kress

Attached for filing is the applicant's proposed summary order in the above-referenced proceeding

Sincerely,

Jerry A Moore III

Enclosure

cc: Advisory Neighborhood Commission 2A

ZONING COMMISSION
District of Columbia
CASE NO. 05-11
EXHIBIT NO. 14

ZONING COMMISSION
District of Columbia
CASE NO.05-11
EXHIBIT NO.14

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The Zoning Commission
for The District Of Columbia

Order No. 05-11

Z.C. Case No. 05-11

Application No. 05-11 of The George Washington University for special exception relief, pursuant to Section 210 and 3104 1 of the Zoning Regulations for further processing, pursuant to an approved Campus Plan to authorize the renovation and addition to an existing university building to be used as a food service venue on the campus of the University in an R-5-D district at premises 2036 G Street, N W , (Lot 816, Square 103)

HEARING DATE: May 16, 2005
DECISION DATE: May 16, 2005 (Bench Decision)

SUMMARY ORDER

1 Advisory Neighborhood Commission ("ANC") 2A was a party in this proceeding.

2 Pursuant to Commission practices relating to Campus Plans, the application was not accompanied by a self-certification form or memorandum from the Zoning Administrator certifying the required zoning relief

3 The Applicant submitted a plan for developing the campus as whole, showing the location, height and bulk of all present and proposed improvement as required by 11 D C M R. Section 210.4. The Board of Zoning Adjustment ("BZA") approved that plan by order dated March 29, 2001. The Board clarified that Order, on remand, by order dated January 23, 2002 A University representative testified at the public hearing that the University is in compliance with the applicable conditions of that order

4 The Commission provided proper and timely notice of public hearing on this application by publication in the D.C Register and by mail to ANC 2A, the Office of Planning and to owners of property within 200 feet of the site The Office of Planning and the ANC submitted reports in support of the application

5 As directed by 11 D C.M R. Section 3119.2, the Commission requires the applicant to satisfy the burden of proving the elements that are necessary to establish the case for a special exception pursuant to 11 D C M R Sections 3104.1 and 210. No parties appeared at the public hearing in opposition to the application Accordingly, a decision by the Commission to grant this application would not be adverse to any party

6. Based upon the record before the Commission and having given great weight to the Office of Planning and ANC reports filed in this case, the Commission concludes that the applicant has met the burden of proving under 11 D C M.R. Sections 3104 1 and 210 that the requested relief can be granted 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 affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map

7 Pursuant to 11 D C.M.R. Section 3100 5, the Commission has determined to waive the requirement of 11 D C M R Section 3125 3 that the order of the Commission be accompanied by findings of fact and conclusions of law It is therefore **ORDERED** that this application be **GRANTED**

Vote: 4-0-1 (Carol J. Mitten, Anthony J Hood, Kevin L Hildebrand and Gregory N Jeffries to approve, John G Parsons, not present, no voting)

BY ORDER OF THE ZONING COMMISSION OF THE DISTRICT OF COLUMBIA
Each concurring member approved the issuance of this order.

FINAL DATE OF ORDER: _____

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