Government of the District of Columbia
OFFICE OF ZONING

Z.C. CASE NO.: 05-29

As Acting Secretary to the Commission, I herby certify that on OCT - 3 2005 copies of this Z C Notice of Public Hearing were mailed first class, postage prepaid or sent by inter-office government mail to the following.

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3	All Councilmembers		
4	Gottlieb Simon ANC 1350 Pennsylvania Avenue, N.W. Washington, D C 20004	10	Office of Attorney General (Alan Bergstein)
5	Office of Planning (Ellen McCarthy)		
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ATTESTED BY: Sharon S. Schellin
Sharon S. Schellin
Acting Secretary to the Zoning Commission
Office of Zoning

ZONING COMMISSION
District of Columbia
CASE NO. 05-29
EXHIBIT NO. 3

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ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING

TIME AND PLACE: **Monday, November 28, 2005, @ 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. 05-29 (Flexibility for Private Schools to Enroll Students Displaced by Hurricane Katrina – Text Amendment)

THIS CASE IS OF INTEREST TO ALL ANCs

The Office of Planning is requesting a text amendment to Title 11 of the District of Columbia Municipal Regulations (Zoning) to temporarily permit private schools in the District of Columbia to enroll students displaced by the effects of Hurricane Katrina without having such students count against enrollment caps imposed by orders of the Board of Zoning Adjustment The rule would limit the number of students who could be enrolled without counting towards such caps at ten percent of the maximum number permitted or twenty students, whichever is less, and would expire on July 1, 2006 This case was set down for hearing on July 11, 2005, at which time the Commission also adopted the rule on an emergency basis The only difference between the proposed text amendment set forth below and the emergency rule is the addition of the July 1st expiration date Although the emergency rule authorized the enrollment flexibility sought, adoption of a rule that would continue in effect during the current academic year will avoid uncertainty with respect to enrollment compliance throughout that period The Commission also waived § 3013 1 of its rules of procedures, which would have required a twenty-day waiting period before publication

Title 11 (DCMR) is amended as follows

Chapter 2, R-1 RESIDENCE DISTRICT USE REGULATIONS, is amended by adding new §§ 206 4 and 206 5 to read as follows

206 4 Students who were displaced due to the effects of Hurricane Katrina may attend a private school existing as of September 15, 2005, without being counted against the limit on the number of students that may be a condition of an order of the Board of Zoning Adjustment, Provided, that the number of students to be accommodated at a school shall not exceed ten percent (10%) of the maximum number permitted or twenty (20) students, whichever is less

206 5 Subsection 206.4 shall expire on July 1, 2006

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 as a rulemaking 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, GREGORY N. JEFFRIES, JOHN G. PARSONS, AND KEVIN L. HILDEBRAND, ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON S. SCHELLIN, ACTING SECRETARY TO THE ZONING COMMISSION.

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