

Exhibit 5

Zoning Commission Order No. 63, Case 72-1

Government of the District of Columbia

ZONING COMMISSION



Zoning Commission Order No. 63
Case No. 72-1

Pursuant to notice, a public hearing of the Zoning Commission was held on February 28, 1973, to consider an application by Rogers Memorial Hospital, a nonprofit corporation, for an amendment to the Zoning Map of the District of Columbia as follows:

Change from R-4 and C-2-A to R-5-C, lots 841 and 67 in Square 895, and all alleys therein, closed on July 6, 1972, recorded in the office of the surveyor in book 159 at page 154, located at 708 Massachusetts Avenue, N. E.

FINDINGS OF FACT

1. The site of the proposed amendment to the Zoning Map is located on the north side of Massachusetts Avenue between 7th and 8th Streets, N.E.
2. The area of the site of the proposed amendment of the Zoning Map is approximately 94,027 square feet.
3. The proposed amendment of the Zoning Map would establish zoning for medium-high density apartment houses. The allowable density would be more than doubled and the allowable height would increase from 40 to 90 feet. The proposed amendment would allow Rogers Memorial Hospital to expand its existing facilities.
4. There was no opposition to the proposed amendment at the public hearing.

CONCLUSIONS OF LAW

1. The expansion of Rogers Memorial Hospital, a nonprofit corporation, permitted by the proposed amendment of the Zoning Map of the District of Columbia will promote health, safety and general welfare of the City of Washington.

2. The proposed amendment would not adversely affect the character and uses of adjacent or neighboring districts.

3. The proposed amendment is in harmony with the intent, purpose, and integrity of the comprehensive zoning plan as embodied in the Zoning Regulations and Map.

DECISION

In consideration of its findings and conclusions herein, the Commission ORDERS ADOPTION of the following amendment of the Zoning Map:

Change from R-4 and C-2-A to R-5-C, lots 841 and 67 in Square 895, and all alleys therein, closed on July 6, 1972, recorded in the office of the surveyor in book 159 at page 154, located at 708 Massachusetts Avenue, N. E.

WALTER E. WASHINGTON

John A. Nevius

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Sterling Tucker

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GEORGE M. WHITE

Richard L. Stanton

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ATTEST:

Martin Klauber

Martin Klauber, Secretary
Zoning Commission