

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 08-16A

AUG 5 2008

As Secretary to the Commission, I hereby certify that on _____ 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:

- | | |
|--|---|
| 1. <i>D.C. Register</i> | 7. Zoning Administrator (Matthew LeGrant) |
| 2. All ANC Chairpersons | |
| 3. Gottlieb Simon
ANC
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004 | 8. General Counsel - DCRA
941 North Capitol Street, N.E.
Suite 9400
Washington, D.C. 20002 |
| 4. All Councilmembers | 9. Office of the Attorney General
(Alan Bergstein) |
| 5. Office of Planning (Harriet Tregoning) | 10. MLK Library (30 Copies) |
| 6. DDOT (Karina Ricks) | |

ATTESTED BY:



Sharon S. Schellin

**Secretary to the Zoning Commission
Office of Zoning**

441 4th Street, N.W., Suite 200/210-S, Washington, D.C. 20001

Telephone: (202) 727-6311

Facsimile: (202) 727-6072

E-Mail: dcoz@dc.gov

Web Site: www.dcoz.dc.gov

ZONING COMMISSION
District of Columbia
CASE NO.08-16A
EXHIBIT NO.3

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

TIME AND PLACE: **Thursday, October 2, 2008, @ 6:30 P.M. – 1st Case**
 Office of Zoning Hearing Room
 441 4th Street, N.W. Suite 220-S
 Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

**Case No. 08-16A (Amendment to the definition for Child/Elderly Development Center). –
Text Amendments**

THIS CASE IS OF INTEREST TO ALL ANCs

On July 18, 2008, the Office of Zoning received a report that served as a petition from the District of Columbia Office of Planning (“OP”) requesting amendments to the Zoning Regulations to make the zoning definition of Child/Elderly Development Center consistent with the definition found in the regulations governing the licensure and inspection of these facilities found in Title 29 of the District of Columbia Municipal Regulations, Chapter 3.

This case is a companion to Zoning Commission Case No. 08-16, and is necessary to correct an additional difference between the definitions that was not included in Case 08-16, the prohibition of individuals less than two years of age.

At a properly noticed special public meeting held on July 28, 2008 the Zoning Commission setdown this case for a public hearing.

The proposed amendments to the Zoning Regulations are as follows:

1. **CHAPTER 1 THE ZONING REGULATIONS, § 199 Definitions, is amended as follows (deletions are show in ~~strikethrough~~ text):**

Child/Elderly Development Center - a building or part of a building, other than a child development home or elderly day care home, used for the non-residential licensed care, education, counseling, or training of individuals ~~two (2) years old or older but~~ under the age of fifteen (15) years of age and/or for the non-residential care of individuals age 65 or older, totaling seven (7)* or more persons, who are not related by blood or marriage to the caregiver and who are present for less than twenty-four (24) hours per day. This definition encompasses facilities generally known as child care centers, pre-schools, nursery schools, before-and-after school programs, senior care centers, elder care programs, and similar programs and facilities. A child/elderly development center

* The current Zoning Regulations allow 6 persons, but an amendment to increase the number to seven (7) is proposed in the companion text amendment, Z.C. Case No. 08-16. A public hearing for Case No. 08-16 is scheduled to be heard at the same time this case is heard.

**Z.C. NOTICE OF PUBLIC HEARING
Z.C. CASE NO. 08-16A
PAGE 2**

includes the following accessory uses: counseling, education, training, and health and social services for the person or persons with legal charge of individuals attending the center, including, but not limited to, any parent, spouse, sibling, child, or legal guardian of such individuals.

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, *et seq.*

The public hearing on this case will be conducted as a rulemaking in accordance with the provisions of § 3021 of the District of Columbia Municipal Regulations, Title 11, and 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 Sharon Schellin, the Secretary of the Zoning Commission, Office of Zoning, Suite 200/210-S, 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.**

ANTHONY J. HOOD, GREGORY N. JEFFRIES, CURTIS L. ETHERLY, JR, MICHAEL G. TURNBULL, AND PETER G. MAY, ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON SCHELLIN, SECRETARY TO THE ZONING COMMISSION.