

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Board of Zoning Adjustment



**BZA Application No. 18830-B**  
**Bright Beginnings Inc.**  
**3418 4th Street, S.E. (Square 5969, Lot 249)**

<b>HEARING DATES</b> (18830):	October 7, 2014
<b>DECISION DATES</b> (18830):	October 7, 2014
<b>ORDER ISSUANCE DATE</b> (18830):	October 16, 2014
<b>DECISION DATE</b> (18830-A):	February 5, 2020
<b>ORDER ISSUANCE DATE</b> (18830-A):	February 6, 2020
<b>HEARING DATE</b> (18830-B):	July 14, 2021
<b>DECISION DATE</b> (18830-B):	July 14, 2021

**SUMMARY ORDER ON REQUEST FOR  
MODIFICATION OF SIGNIFICANCE**

Pursuant to notice, at its July 14, 2021, public hearing, the Board of Zoning Adjustment (“**Board**” or “**BZA**”) deliberated on a request for modification of significance to BZA Order No. 18830, as previously modified by BZA Order No. 18830-A, to permit an increase the number of children to 150 and the number of staff to 60 at an existing child development center in the RF-1 Zone. The Board considered the request under Subtitle Y § 704 of Title 11 of the DCMR (Zoning Regulations of 2016, the “**Zoning Regulations**” to which all references are made unless otherwise specified). For the reasons stated below, the Board **APPROVES** the request for modification.

**ORIGINAL APPLICATION.** In Application No. 18830, the Board approved the request by Bright Beginnings Inc. (the “**Applicant**”) under the Zoning Regulations of 1958 for special exceptions from the use and retaining wall requirements, as well as a variance from the requirements pertaining to location of parking spaces, in order to establish a child development center use for 100 children and with 38 teachers and staff in the R-4 District. The Board issued Order No. 18830 (the “**Original Order**”) on October 16, 2014. (Exhibit 2A.) In Application No. 18830-A, the Board approved a modification of consequence to the Original Order to increase the number of children from 115 and the number of staff to 43. The Board issued Order No. 18830-A on February 6, 2020. (Exhibit 2A.)

**PROPOSED MODIFICATION.** On March 1, 2021, the Applicant submitted a request for modification of consequence to the Original Order, as modified, to increase the number of children to 150 and the number of staff to 60, as well as expand the age group served by the

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

Telephone: (202) 727-6311

Facsimile: (202) 727-6072

E-Mail: [dcoz@dc.gov](mailto:dcoz@dc.gov)

Web Site: [www.dcoz.dc.gov](http://www.dcoz.dc.gov)

Board of Zoning Adjustment  
District of Columbia  
CASE NO.18830B  
EXHIBIT NO.35

**BZA ORDER NO. 18830-B**  
**PAGE NO. 2**

facility from children between the age of six weeks to three years, to children between the age of six weeks to five years. (Exhibits 1-3.) At the Board's public meeting of May 12, 2021, the Board determined that the application was instead a modification of significance because the numbers of children and staff were not conditions of Order Nos. 18830 or 18830-A and scheduled a public hearing to consider the application. The Applicant revised its request to seek a modification of significance accordingly. (Exhibit 25.)

**NOTICE OF THE REQUEST FOR MODIFICATION.** Pursuant to Subtitle Y § 704.5, the Applicant served the request for modification on the parties to the original application. (Exhibit 2.) After its determination that the application was a modification of significance, the Board referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

**PARTIES.** The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 8C.

**ANC REPORT.** The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on March 3, 2021, at which a quorum was present, the ANC voted to support the modification. (Exhibit 4.) The ANC report raised no issues or concerns.

**OFFICE OF PLANNING ("OP") REPORT.** OP submitted two reports to the record:

- The original OP report, dated April 30, 2021, responded to the Applicant's request for a modification of consequence and recommended approval of the modification as initially filed. (Exhibit 5).
- The supplemental OP report dated July 2, 2021, responded to the amended request for modification of significance and continued to recommend approval. (Exhibit 29.)

**DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT.** DDOT submitted a report indicating that it had no objection to the modification. (Exhibit 6.)

**CONCLUSIONS**

Pursuant to Subtitle Y § 704.1, any request for a modification that does not meet the criteria for a minor modification or modification of consequence<sup>1</sup> requires a public hearing and is a modification of significance. The Applicant's request complies with Subtitle Y § 704, which provides the Board's procedures for considering requests for modifications of significance.

As directed by Subtitle Y § 704, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for modification of significance. The only parties to the case were the ANC and the Applicant. No parties appeared at the public hearing in opposition to the application.

---

<sup>1</sup> See Subtitle Y §§ 703.3 and 703.4.

**BZA ORDER NO. 18830-B**  
**PAGE NO. 3**

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

**DECISION**

It is therefore **ORDERED** that this application for a modification of significance of BZA Order No. 18830, as modified by BZA Order No. 18830-A, is hereby **APPROVED**, subject to the following **CONDITIONS**, which shall replace and supersede the conditions of BZA Order No. 18830-A:

1. The project shall be constructed in accordance with the plans submitted as Exhibits 5, 30, and 40 in the case record for BZA Case No. 18830, as required by Subtitle Y §§ 604.9 and 604.10.
2. The Applicant shall provide three short-term bicycle parking racks, including a total of six bicycle spaces, on the property adjacent to the main building entrance.
3. The maximum number of students shall be 150.
4. The maximum number of staff shall be 60.

In all other respects, Order Nos. 18830 and 18830-A remain unchanged.

**VOTE: 5-0-0** (Frederick L. Hill, Lorna L. John, Carl H. Blake, Chrishaun S. Smith, and Michael G. Turnbull to APPROVE)

**BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT**

A majority of the Board members approved the issuance of this order.

ATTESTED BY: \_\_\_\_\_

  
**SARA A. BARDIN**  
Director, Office of Zoning

**FINAL DATE OF ORDER:** July 28, 2021

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.