

BEFORE THE BOARD OF ZONING ADJUSTMENT, D.C.

Application No. 12262 of Gus Levathes, pursuant to Sub-section 8207.2 of the Zoning Regulations, a special exception under Section 3308. Specifically, the applicant seeks permission to allow the construction of a roof structure on a proposed hotel, office and retail building in the C-2-A and W-1 Districts at 3000 M Street, N.W., Lot 68, part of 23, 60-61, remainder of 22, part of 63 to 67, Square 1197.

HEARING DATE: February 8, 1977

DECISION DATE: February 8, 1977 (Executive Session)

Application was scheduled for a public hearing on December 15, 1976. Applicant requested a continuance to January, 1977. On December 28, 1976 applicant requested, in writing, permission to WITHDRAW the application since the remedy sought was based on a new roof structure over which remedy the BZA no longer had jurisdiction. Accordingly, it is

ORDERED that the application is WITHDRAWN.

VOTE: 4-0 (William F. McIntosh, Lilla Burt Cummings, Esq.,
Richard L. Stanton and Leonard L. McCants, Esq.).

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

ATTESTED BY:

Arthur B. Hatton

ARTHUR B. HATTON

Executive Secretary

FINAL DATE OF ORDER:

2-18-77

BEFORE THE BOARD OF ZONING ADJUSTMENT, D.C.

Application No. 12260 of National Children's Center, Inc. pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Section 3101.49 to permit an addition to existing philanthropic institution (National Children's Center) and to permit accessory parking (Section 3101.411) in the R-1-B District premises 6200 - 2nd Street, N.W., Square 3341, Lots 808,810,811,17 and 54.

HEARING DATE: November 23, 1976

DECISION DATE: January 17, 1977

FINDINGS OF FACT:

1. The subject property is located in an R-1-B District.
2. The property is improved and is presently used as a philanthropic institution school, residence and clinic.
3. Applicant requests permission to modify the plans as submitted to the Board of Zoning Adjustment and approved on January 7, 1974 by changing the location and design of the residential and clinical unit. Also, the existing original limestone building located on Second Street between Sheridan and Rittenhouse Streets is to be completely renovated internally.
4. Previous orders were issued by the Board for the same type of application, the last of which was dated February 2, 1975.
5. The proposed plans require a change of the existing alley between Sheridan and North Dakota Avenue to permit ingress and egress of handicapped persons to the facility. This modification would require action by the Office of the Surveyor, D.C., and/or the City Council. Alternate No.1 also submitted with applicant's plans require no change of the existing alley.

6. The student capacity under the subject application would remain the same as that submitted and approved under BZA Order No. 10899 (January 7, 1972), incorporated herein by reference.
7. The number of on-site and off-site parking shall remain identical to that submitted and approved under the aforementioned BZA Order No. 10899.
8. The National Capital Planning Commission recommended approval of this application to the Board of Zoning Adjustment.
9. The Advisory Neighborhood Commission 4B unanimously recommended approval of this application.
10. Objection to the granting of this application was registered by neighbors on the grounds that the plans did not list dates for scheduled construction phases, a schedule for a cleaning up of the grounds and lack of control and supervision of the children.
11. That at the Executive Session of the Board of Zoning Adjustment on December 21, 1976, Chairman William S. Harps by letter of same date made known to applicant's counsel certain conditions relating to the objection of the neighbors that must be addressed before a vote would be made by the Board on this application which letter is incorporated herein by reference; that counsel responded to said letter as evidenced by his Exhibits A,B,C and D all of which are incorporated herein by reference.

CONCLUSIONS OF LAW:

Based on the record the Board concludes that subject to the conditions hereinafter imposed, the granting of the proposed use will not adversely affect the use of neighboring property and that the proposed accessory parking spaces are not likely to become objectionable to adjoining or nearby property because of noise, traffic or other objectionable conditions, The Board further concludes that the granting of the relief herein will

be in harmony with the general purpose and intent of the zoning regulations and map. Accordingly, it is ORDERED that the application is GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

- a. Applicant must provide on-site parking for all buses and cars in accordance with finding number 7 in BZA Order 10899.
- b. That the plans, including Alternate 1, are approved. That the ingress and egress to the alley between Sheridan Street and North Dakota Avenue shall not be interrupted at any time before, during, or after construction of the facility.
- c. There will be no more than a total enrollment of 218 children, no more than 55 of whom will live at the Center and a staff of not more than 100 at any time.
- d. The Center will consist of the new building, on-site parking lot, existing original building to be renovated and the recently completed classroom building. No changes may be made without the approval of the Board of Zoning Adjustment.
- e. The detailed plan for the control and supervision of children and the schedule of construction, Exhibits B and C respectively, as aforementioned, shall be implemented;

The requirement of the construction of "some sort of fence" set forth in paragraph numbered 3 of the aforementioned BZA letter of December 21, 1976 is WITHDRAWN

- f. The subject premises shall be cleared of debris and completely cleaned up thirty (30) days from the date of applicant's beneficial occupancy.
- g. Landscaping shall comply with the landscape plan submitted to the Board on November 23, 1976.

VOTE: 3-0 (Theodore Mariani, William F. McIntosh and Leonard L. McCants, Esq.)

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

ATTESTED BY: 
ARTHUR B. HATTON
Executive Secretary

FINAL DATE OF ORDER: 1-21-77

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.