

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14721 of Georgetown Presbyterian Church, pursuant to 11 DCMR 3108.1, for a special exception under Section 205 to establish a child development center of 36 children, ages 2½ to 5 years, and a staff of four teachers on part of the second floor, in an R-3 District at premises 3115 P Street, N.W. (Square 1270, Lot 63).

HEARING DATE: January 13, and March 9, 1988
DECISION DATE: March 9, 1988 (Bench Decision)

SUMMARY ORDER

The Board provided timely notice of the public hearing on this application by publication in the D.C. Register, by mail to ANC 2E, and by mail to owners of property within 200 feet of the property.

The application was originally scheduled for the public hearing of January 13, 1988. The application appeared on the preliminary agenda on that date because no affidavit of posting was filed. The representative of the applicant testified that no notice of public hearing was received and the property was, therefore, not properly posted. The Board rescheduled the application to allow for adequate posting of the property.

The site of the application is located in Advisory Neighborhood Commission ("ANC") 2E. ANC 2E, which is automatically a party to the application, filed a written statement of issues and concerns in support of the application, on the grounds that the center is a professionally run, well organized institution with an eleven year track record of no complaints from neighbors or adjacent property owners and the utmost care is taken to ensure the safety of the children while minimizing the impacts on the neighborhood. The ANC recommended that the applicant consider alternatives for drop off and pick up of children to reduce the impact on traffic while not endangering children.

As directed by 11 DCMR 3324.2, the Board has required the applicant to satisfy the burden of proving the elements which are necessary to establish the case for a special exception pursuant to 11 DCMR 205. No person or entity appeared at the public hearing in opposition to the

application or otherwise requested to participate as a party in opposition in this proceeding. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108.1, and that the requested relief can be granted as in harmony with the general purpose and intent of the Zoning Regulations and Map and will not tend to affect adversely the use of neighboring property in accordance with said regulations and map. It is therefore ORDERED that the application is GRANTED, subject to the following CONDITIONS:

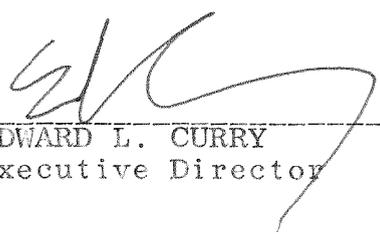
1. The number of children shall not exceed thirty-six, ages $2\frac{1}{2}$ to five years. The number of staff shall not exceed four.
2. The hours of operation shall not exceed from 8:15 A.M. to 3:00 P.M., Monday through Friday.
3. One on-site parking space located at the rear of the property shall be reserved exclusively for the use of the child development center.
4. The agreement between the Church and the child development center shall be amended to reflect the provision of one on-site parking space for the exclusive use of the child development center.
5. All parents of children at the child development center shall be informed of the location of the parking space and how to access that parking space.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is not prohibited by law.

VOTE: 4-0 (Maybelle Taylor Bennett, Charles R. Norris, William F. McIntosh and Carrie L. Thornhill to grant; Paula L. Jewell not present, not voting).

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

ATTESTED BY:



EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: _____

JUN 24 1988

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

summary / FORMAT

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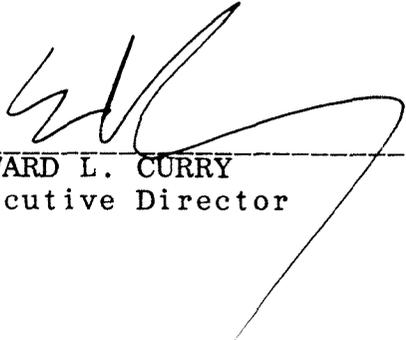
APPLICATION No. 14721

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order of the Board in the above numbered case, said Order dated JUN 24, has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Gay Cioffi
1469 Monroe St., NW
Washington, D.C. 20010

Presbyterian Congregation in Georgetown
3115 P St., NW
Washington, D.C. 20007

Advisory Neighborhood Commission 2E
1041 Wisconsin Avenue, NW
Washington, DC 20007



EDWARD L. CURRY
Executive Director

DATE: JUN 24 1983-----