

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14733 of Howard University, pursuant to 11 DCMR 3108.1, for a special exception under Section 210 for review and approval of a revised campus plan in the R-4, R-5-B, R-5-D, SP-2, C-M-1, C-M-2, C-M-3 and C-2-A Districts in the area beginning at the intersection of Columbia Road and Georgia Avenue, N.W., east along Columbia Road to a point; hence south along 5th Street to McMillan Drive; east along McMillan Drive to a point; hence south along 2nd Street to Rhode Island Avenue; west along Rhode Island Avenue to Florida Avenue; north along Florida Avenue to 9th Street; north along 9th Street to Florida Avenue; north along Florida Avenue to W Street; west along W Street to 11th Street; north along 11th Street to Florida Avenue; east along Florida Avenue to Barry Place; east along Barry Place to Sherman Avenue; north along Sherman Avenue to Euclid Street; east along Euclid Street to Georgia Avenue, and; north along Georgia Avenue to the beginning, (Square 330, Lot 800; Square 2873, Lots 787, 788, 790, 870 and 974; Square 2875, Lots 1032, 1036, 1038, 1104, 1105, 2000-2002, 2033, 2035, 2036, 2037 and 2039; Square 2877, Lots 811, 933, 934, 945, 968, 970, 979, and 1023; Square 2882, Lot 951; Square 3055, Lots 821 and 822; Square 3057, Lot 92; Square 3058, Lots 828, 829 and 833-835; Square 3060, Lots 41 and 839; Square 3063, Lot 801; Square 3064, Lots 826 and 837; Square 3065, Lots 33, 36 and 831; Square 3068, Lots 27-29, 801, 807 and 808; Square 3069, Lots 65 and 66; Square 3072, Lots 52 and 818; Square 3074, Lot 11; Square 3075, Lot 807; Square 3079, Lots 29-35, 37, 39-46, 49 and 89-91; Square 3080, Lots 42, 44, 45, 47, 48, 58, 67, 70-72, 832, 843 and 844; Square 3084, Lot 830; Square 3088, Lot 835; Square 3090, Lot 41, and; Square 3094, Lot 800).

HEARING DATES: February 24, May 11 and June 1, 1988  
DECISION DATE: July 28, 1988

DISPOSITION: The Board GRANTED the application with conditions by a vote of 4-0 (Maybelle Taylor Bennett, William F. McIntosh, Charles R. Norris and Carrie L. Thornhill to grant; Paula L. Jewell not voting, having recused herself).

FINAL DATE OF ORDER: December 23, 1988

FURTHER DISPOSITION: The Board GRANTED a motion for reconsideration and reaffirmed its prior decision with a modification to Condition No. 3 by a vote of 4-0 (Maybelle Taylor Bennett, Charles R. Norris, William F. McIntosh and Carrie L. Thornhill to reconsider; Paula L. Jewell not voting, having recused herself).

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DECISION DATE: February 1, 1989

FINAL DATE OF RECONSIDERATION ORDER: March 2, 1989

FURTHER DISPOSITION: The Board GRANTED a MODIFICATION of the ORDER extending the period of time for filing the updated campus plan until the end of 1996 by a vote of 4-0 (Laura M. Richards, Jerrily R. Kress, Susan Morgan Hinton and Craig Ellis to grant; Angel F. Clarens not voting, having recused himself).

DECISION DATES: March 1 and May 3, 1995

FINAL DATE OF EXTENSION ORDER: June 28, 1995

#### MODIFICATION OF ORDER

The Board approved the revised campus plan subject to eight conditions by its Order dated December 23, 1988. The Board approved a reconsideration request and modification of Condition No. 3 of the original order by its Order dated February 1, 1989.

Under the Board's original order, the Central Campus Plan was approved for a period of time extending to the year 1995 or prior thereto as determined by the Board. The Board subsequently extended the time to end of 1996.

On October 23, 1996, counsel for the applicant filed a request for a further extension of time to file an amended campus plan. In the request it states that the University has proceeded diligently to complete its master planning process and to file a new application with the BZA. As anticipated in the 1994 request, that process requires more than one year to complete. The new president of the University, H. Patrick Swygert, was only officially installed on August 1, 1995. The process of amassing information from all of the various schools and divisions and reconciling the various program needs and budgetary goals with physical plant needs has been on-going. At the same time, the University has had to defend against proposed massive federal budget cuts. The policies and goals are in the process of being reviewed by the Board of Trustees, which is scheduled to act on the matter in January 1997. The University has also been consulting with the community about the physical plan as a reflection of program goals as they relate to the built environment in which the University exists.

Counsel indicated that all of the above conditions lead the University to request that the Board approve a further one year extension of time in which to file the updated campus plan. The

proposed extension would be until December 31, 1997, and would be reflected in Condition No. 2 of the Board's order.

The University commits to maintaining the status quo during this further one year period. The University will file no new applications with the Board for new construction or additions until the new campus plan has been filed. At this time, the University knows of no reason which would delay the filing more than one additional year.

Counsel stated that the University has contacted ANC 1B with respect to this request. The ANC does not oppose the extension under the terms and conditions delineated. The Board did not receive correspondence from any other parties related to the subject request.

Counsel for the applicant requested that the Board waive the six-month filing requirement to allow for consideration of the request for an extension of time. It is argued that the University could not have known within either the six-month period following December 23, 1988, or the six month period after June 28, 1995, that additional time would now be required.

By considering the request for extension of time at its December 4, 1996 public meeting, the Board approved the waiver of the six-month filing requirement by implication.

Upon consideration of the applicant's request for a one year extension of time to file an updated campus plan, the rationale for the request, the commitment to maintain the status quo and the lack of community opposition to the request, the Board believes that the request is reasonable. The Board notes that it is difficult for universities to complete their review of master plans because they are so comprehensive. Further, the Board concludes that the request is reasonable as long as the applicant is not seeking to make changes to the census or request Board approvals during the interim. Therefore, it is hereby **ORDERED** that the request for an **EXTENSION OF TIME** to file the updated campus plan is **APPROVED** and Condition No. 2 is modified to read as follows:

2. Approval of the Central Campus Plan shall be for a time period extending to December 31, 1997, provided that the University not make changes to the campus while the filing period is pending.

**DECISION DATE:** December 4, 1996

**Vote:** 3-0 (Jerrily R. Kress, Susan Morgan Hinton and Laura M. Richards to approve; Sheila Cross Reid not voting, not having heard the case; Angel F. Clarens not voting, having recused himself).

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

ATTESTED BY:

  
MADELIENE H. DOBBINS  
Director

FINAL DATE OF ORDER: FEB 3 1997

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHTS ACT OF 1977, THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF D.C. LAW 2-38, AS AMENDED, CODIFIED AS D.C. CODE, TITLE 1, CHAPTER 25 (1987), AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. THE FAILURE OR REFUSAL OF APPLICANT TO COMPLY WITH ANY PROVISIONS OF D.C. LAW 2-38, AS AMENDED, SHALL BE A PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

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, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



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As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on FFB 3 1997 a copy of the order entered on that date in this matter was mailed postage prepaid to each person who appeared and participated in the public hearing concerning this matter, and who is listed below:

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MADELIENE H. DOBBINS  
Director

Date: FEB 3 1997