

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 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

O R D E R

The Board approved the revised campus plan subject to eight conditions by its Order dated December 23, 1988. On January 5, 1989, counsel for the applicant filed a timely motion for reconsideration of the Board's decision related to specific conditions imposed by the order on the approval of the revised campus plan. The general basis for the request for reconsideration was that Condition Nos. 3 and 4 are in direct conflict with the provisions of the Zoning Regulations in that colleges and universities are permitted as a matter of right in all commercial districts and, therefore, can not be subjected to special exception review pursuant to 11 DCMR 210 and 507. There was no response to the proposed motion for reconsideration.

Upon consideration of the motion, the record in the case, and its final order, the Board GRANTED the request for reconsideration and reaffirmed its prior decision with the following modification to Condition No. 3, which shall read as follows:

3. The University shall submit a special exception to the Board for each structure or addition to an existing structure located in the R, SP, W or CR District which the University proposes to construct on the campus over the life of the Plan. In addition to a demonstration of compliance with applicable provisions of the Zoning Regulations and the contents of the approved 1988 Central Campus Plan, each application shall include a showing that the use, height, bulk and design (including the location of any means of approach and egress) of the proposed structure is sensitive to and compatible with adjacent and nearby non-university owned structures and uses.

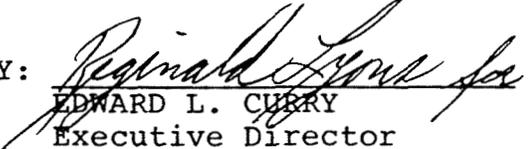
In all other respects, the Order of the Board dated December 23, 1988 shall remain in full force and effect.

DECISION DATE: February 1, 1989

VOTE: 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).

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

ATTESTED BY:


EDWARD L. CURRY
Executive Director

FINAL DATE OF ORDER: MAR 2 1989

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.

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