

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15164 of First Baptist Church, pursuant to 11 DCMR 3108.1 and 3107.2, for a special exception under Section 206 to expand an existing child development center, a variance from the rear yard requirements (Sub-section 404.1), a variance from the lot occupancy requirements (Sub-section 403.2), and a variance from the number of stories requirements (Sub-section 400.1) for the proposed subdivision and construction of an addition to a church containing ancillary facilities and the expansion of an existing child development center from 86 to 121 children in an R-4 District at premises 712 Randolph Street, N.W., (Square 3131, Lots 41 and 823).

HEARING DATE: October 25, 1989  
DECISION DATE: October 25, 1989 (Bench Decision)

SUMMARY ORDER

The Board duly provided timely notice of public hearing on this application, by publication in the D.C. Register, and by mail to ANC 4C and to owners of property within 200 feet of the site.

The site of the application is located in Advisory Neighborhood Commission ("ANC") 4C. ANC 4C, which is automatically a party to the application, by letter received October 25, 1989, took no position on the application.

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 and variance from the strict application of the requirements of 11 DCMR 207, 404.1, 403.1 and 400.1. No person or entity appeared at the hearing or otherwise requested to participate as a party 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 3107 and 3108, and that the requested relief can be granted without substantial detriment to the public good, without adversely affecting the use of neighboring property, and without substantially impairing the intent, purpose, and integrity of the zone plan and as in harmony with the zone plan as embodied in the Zoning Regulations and maps. It is therefore ORDERED that the application is GRANTED.

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: 5-0 (Charles R. Norris, Paula L. Jewell, William F. McIntosh, Tersh Boasberg and Carrie L. Thornhill to grant).

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

ATTESTED BY:

  
EDWARD L. CURRY  
Executive Director

FINAL DATE OF ORDER: NOV 7 1989

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 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.

15164order/LJP54

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



APPLICATION No. 15164

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a letter has been mail to all parties, dated Jan 7 2011, and mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Mose Lewis, III, Esq.  
4201 Conn. Ave., N.W., #400  
D.C. 20008

Lillian Wiggins, Chairperson  
Advisory Neighborhood Commission 4-C  
4020 - 8th Street, N.W.  
Washington, D. C. 20011

Rev. Frank D. Tucker  
First Baptist Church  
712 Randolph St., N.W.  
D.C. 20011

A handwritten signature in black ink, appearing to read "ELC", is written over a horizontal line.

EDWARD L. CURRY  
Executive Director

DATE: Jan 7 2011