

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15527 of the Maret School, Inc., pursuant to 11 DCMR 3108.1, for a special exception under Section 207 to expand an existing private school by the construction of a school bus and lawn equipment storage garage in an R-3/R-1-B District at premises 3000 Cathedral Avenue, N.W., (Square 2113, Lot 843).

HEARING DATE: July 17, 1991
DECISION DATE: July 17, 1991 (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 Advisory Neighborhood Commission (ANC) 3C and to owners of property within 200 feet of the site.

The site of the application is located in ANC 3C. ANC 3C, which is automatically a party to the application, submitted written issues and concerns in support of 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 pursuant to 11 DCMR 207. No person or entity appeared at the public hearing in opposition to the application or otherwise requested to participate as a party in opposition to 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, 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 Zoning Regulations and maps. It is therefore **ORDERED** that the application is **GRANTED, SUBJECT** to the following **CONDITIONS**:

1. A screen of Leyland Cyprus evergreen trees shall be planted in accordance with Exhibit No. 17B and appropriately maintained. At initial installation, the trees shall be six (6) to eight (8) feet in height. The desirability and feasibility of planting additional trees for screening purposes shall be considered by the school-community liaison established pursuant to condition No. 7 below.

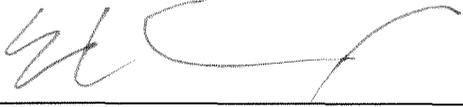
2. The HVAC unit serving the new storage building shall be located on the ground (i.e., not on the roof of the new storage building) in the area depicted on Exhibit No. 17B and shall be screened by fencing materials in order to reduce noise emissions. The HVAC unit shall comply with applicable noise regulations.
3. Outside storage of materials used in constructing or maintaining the school's buildings, grounds or vehicles shall be screened from adjacent properties.
4. Fencing shall be installed and maintained in accordance with Exhibit No. 17B. All new fencing in the area near the new storage building shall be commensurate in height with existing fencing.
5. No existing trees, as shown on Exhibit No. 17B, shall be removed in conjunction with construction of the new storage building and all such existing trees shall be maintained.
6. The applicant shall consult with the ANC and with affected neighbors prior to its making any exterior material and design changes in construction plans.
7. The applicant shall promptly establish a process for school-community liaison in order that matters of current and future concern to the immediate neighborhood can be addressed and resolved. Such liaison process shall consider inter alia additional tree screening, the location and use of the existing gate in the public alley behind Hawthorne Street or alternative locations for such gate and other pertinent matters.

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 not prejudice the rights of any party, and is not prohibited by law.

VOTE: 4-0 (Sheri M. Pruitt, William L. Ensign, Paula L. Jewell and Carrie L. Thornhill to approve; Charles R. Norris, 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: AUG 2 1991

PURSUANT TO D.C. CODE SEC. 1-2531 (1987), SECTION 267 OF D.C. LAW 2-38, THE HUMAN RIGHT 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.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO. 15527

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on AUG 2 1991 a copy of the order entered on that date in this matter was mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Jacques B. DePuy, Esquire
Stohlman, Beuchert, Egan & Smith
1775 Pennsylvania Avenue, N.W.
Suite 400
Washington, D.C. 20006

Craig Channell, Assistant Headmaster
Maret School, Inc.
3000 Cathedral Avenue, N.W.
Washington, D.C. 20008

Kathleen Kenety
3100 Hawthorne Street, N.W.
Washington, D.C. 20008

Kathryn Mann Harlick
3101 Hawthorne Street, N.W.
Washington, D.C. 20008

Rosalyn Doggett, Chairperson
Advisory Neighborhood Commission 3-C
2737 Devonshire Place, N.W.
Washington, D.C. 20008

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

EDWARD L. CURRY
Executive Director

DATE: AUG 2 1991

15527Att/bhs