

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15681 of Thomas Lewis, pursuant to 11 DCMR 3108.1, for a special exception under Section 334 to establish a temporary family service center in an R-4 District at premises 1240 Wylie Street, N.E. (Square 1003, Lot 73).

HEARING DATE: July 8, 1992  
DECISION DATE: July 8, 1992 (Bench Decision)

SUMMARY ORDER

The Board provided proper and timely notice of public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 6A and to owners of property within 200 feet of the site.

The site of the application is located within the jurisdiction of ANC 6A. ANC 6A, which is automatically a party to the application, filed a written statement 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 334. No person or entity appeared at the public hearing in opposition to the application 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 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 the Zoning Regulations and Map. It is therefore **ORDERED** that the application is **GRANTED, SUBJECT** to the following **CONDITIONS**:

1. The use as a family service center is approved for **THREE (3) YEARS**.
2. The hours of operation shall be between 10:00 a.m. and 8:00 p.m. Monday through Saturday.
3. The number of staff shall not exceed four (4).

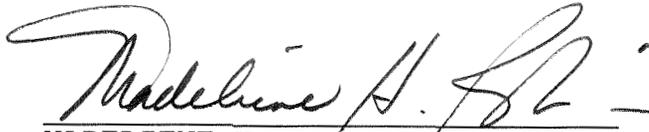
4. The number of visitors shall not exceed TWENTY (20) per day.
5. The applicant shall not allow persons coming to the center to congregate outside of the center.
6. The applicant shall provide adequate lighting at the entrance of the facility.

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: 3-0 (Tersh Boasberg, Paula L. Jewell and Carrie L. Thornhill to grant; Angel F. Clarens and Sheri M. Pruitt not present, not voting).

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

ATTESTED BY:

  
MADELIENE H. ROBINSON  
Acting Director

FINAL DATE OF ORDER: JUL 24 1992

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."

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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.

15681Order/bhs

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
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BZA APPLICATION NO. 15681

As Acting Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on JUL 24 1992 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:

Thomas Lewis  
6110 7th Place, N.W.  
Washington, D.C. 20011

Craig Lisk, Chairperson  
Advisory Neighborhood Commission 6A  
1341 Maryland Avenue, N.E.  
Washington, D.C. 20002

  
MADELIENE H. ROBINSON  
Acting Director

DATE: JUL 24 1992

15681Att/bhs