

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 15767 of Howard University, as amended, pursuant to 11 DCMR 3108.1, for special exceptions under Section 210 of the Zoning Regulations for approval of amendments to an approved campus plan and for further processing under the amended plan to allow an addition to an existing law school; permanent use of an existing temporary structure; construction of a service/delivery pad, and; the realignment of the driveway at the entrance to the west campus that intersects the Van Ness Street cul-de-sac in an R-1-A/R-2 District at premises 2900 Van Ness Street, N.W. (Square 2049, Lot 810).

HEARING DATES: December 16, 1992 and February 17, 1993

DECISION DATES: April 7 and May 5, 1993

DISPOSITION: The Board **GRANTED** the application by a vote of 3-0 (Carrie L. Thornhill and Sheri M. Pruitt to grant; John G. Parsons to grant by proxy; Paula L. Jewell and Angel F. Clarens not voting, having recused themselves).

FINAL DATE OF ORDER: April 13, 1994

MODIFICATION ORDER

The Board granted the application by its order dated April 13, 1994 with two conditions. Condition No. 2 reads as follows:

The applicant shall file an application for approval of an updated campus plan for the west campus within twelve months of the date of the order in this case.

On March 24, 1995, Howard University filed a timely request to extend the time to file an updated campus plan for the west campus. The University stated it has no plans to increase the student population or the number of faculty or staff and does not intend to decrease the number of off-street parking spaces presently provided. The University however, is considering an increase in the Law School Library and is reviewing options presented by an architectural firm. The University requests additional time to complete its review and to discuss its choice with the community. The University believes that before filing an application, discussions with the community would help to reduce any differences that might arise. Additionally, the University believes, to a lesser degree, the selection of a new president impacts on this request as the new president should be involved in the decisions to finance an expanded library. There was no response to this request to extend the time.

Upon consideration of the motion, the evidence of record and its final order, the Board concludes that the request is reasonable and that the rights of any party would not be harmed. Accordingly, the motion to extend the time to file an updated West Campus Plan is **GRANTED, SUBJECT** to the following **CONDITIONS**:

1. The applicant shall file the updated campus plan prior to applying for further processing under the current campus plan; and
2. The period of time for filing the updated campus plan shall be extended to August 13, 1995.

In all other respects, the Order of the Board dated April 13, 1994 shall remain in full force and effect.

VOTE: 4-0 (Craig Ellis, Laura M. Richards and Susan Morgan Hinton to approve; John G. Parsons to approve by absentee vote; Angel F. Clarens not voting, having recused himself).

The Board members who did not participate in the original proceeding have read the full record in this application.

DECISION DATE: May 3, 1995

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

ATTESTED BY:


MADELIENE H. ROBINSON
Director

FINAL DATE OF ORDER: JUN 28 1995

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

15767ord/RCL/LJP

GOVERNMENT OF THE DISTRICT OF COLUMBIA
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As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on JUN 28 1995 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:

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MADELIENE H. ROBINSON
Director

DATE: JUN 28 1995