

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15869 of Vanguard Services Unlimited, as amended, pursuant to 11 DCMR 3108.1, for special exceptions under Paragraph 732.1(d) to establish a substance abusers' home for six to ten pregnant or postpartum women and a rotating staff on the first through third floors in a DD/C-2-C District at premises 301 I Street, N.W. (Square 527, Lot 800).

HEARING DATE;                   October 13 and December 1, 1993  
DECISION DATE:                December 1, 1993 (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) 2C and to owners of property within 200 feet of the site.

The site of the application is located within the jurisdiction of ANC 2C. ANC 2C, 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 732.1(d). 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 being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. It is therefore **ORDERED** that this application is **GRANTED**, **SUBJECT** to the following **CONDITIONS**:

1. Approval shall be for a period of FIVE YEARS.
2. The total number of individuals (women and children) residing in the home shall not exceed 24 at any given time. The number of pregnant or postpartum women participating in the substance abuse program shall

not exceed ten at any given time, with up to two children each. The number of children under the age of seven shall not exceed 18 at any given time.

3. The maximum number of employees on-site shall not exceed 11 at any given time. The number of staff on the premises shall be sufficient to provide 24-hour supervision of the residents and to respond to emergencies at all times.
4. The grounds of the facility shall be kept free of refuse and debris and shall be properly maintained.
5. There shall be no exterior loitering on the premises by residents, employees and visitors. Outdoor activities for the children shall be supervised by residents and/or employees at all times.
6. The applicant shall maintain two on-site parking spaces at all times.
7. The facility shall meet the District of Columbia's fire, safety and health code requirements at all times.

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 appropriate in this case.

VOTE: 5-0 (Maybelle Taylor Bennett, Laura M. Richard, Craig Ellis and George Evans and Angel F. Clarens to grant).

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

ATTESTED BY:

  
MADELIENE H. ROBINSON  
Director

FINAL DATE OF ORDER: \_\_\_\_\_

DEC 30 1988

BZA APPLICATION NO. 15869  
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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, 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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BZA APPLICATION NO. 15869

As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on DEC 30 1988 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:

Iverson O. Mitchell, III, Esquire  
Speights and Mitchell  
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Washington, D.C. 20006

Alverta Munlyn, Chairperson  
Advisory Neighborhood Commission 2-C  
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Washington, D.C. 20001

Lawrence Stewardson  
Vanguard Services Unlimited  
506 N. Pollard Street  
Arlington, Virginia 22204

  
MADELIENE H. ROBINSON  
Director

DATE: DEC 30 1988