

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15885 of Isaac F. and Josephine K. Hargrove, pursuant to 11 DCMR 3108.1, for a special exception under Section 205 to expand an existing child development center from 45 children ages two to six years and four staff to 85 children ages 2 1/2 to seven years and eight staff on the first and second floors in an R-4 District at premises 770 Park Road, N.W. (Square 2894, Lot 902).

HEARING DATE: November 17, 1993  
DECISION DATE: December 1, 1993

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) 1A and to owners of property within 200 feet of the site.

The site of this application is located within the jurisdiction of ANC 1A. ANC 1A, which is automatically a party to this 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 205. No person or entity appeared at the public hearing in opposition to this 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, 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 **SEVEN YEARS**.
2. The number of children shall not exceed 85. The number of staff shall not exceed eight.

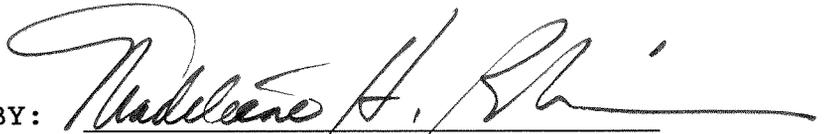
3. The hours of operation shall be from 7:00 a.m. to 7:00 p.m., Monday through Friday.
4. A six-foot high wood fence shall be installed to screen and separate the center's play area from the adjoining properties to the south and east so that the play area is fully enclosed.
5. All on-site parking spaces shall be separated and screened from the play area. The applicant shall provide ten parking spaces at the Caroline Missionary Church as set forth in Exhibit No. 27 of the record.
6. The trash dumpster located at the rear of the site shall be separated and screened from the play area. Trash shall be picked up at least twice per week.
7. Prior to the issuance of the certificate of occupancy, the applicant shall submit a detailed landscaping plan for Board review and approval.
8. The buildings and grounds of the subject premises shall be kept free of refuse and debris and shall be maintained in keeping with the character of the neighborhood.

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 Marie Richards, Craig Ellis, 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 29 1983

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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 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.

15885Order/SS/bhs

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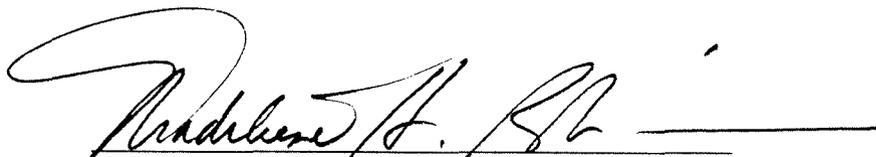
As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on 5-29-83 a copy of the order entered on that date in this matter was mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Isaac T. & Josephine K. Hargrone  
1325 Holly Street, N.W.  
Washington, D.C. 20012

Ronald V. Anderson  
770 Park Road, N.W.  
Washington, D.C. 20010

S. Williams  
3215 13th Street, N.W.  
Washington, D.C. 20010

Lenwood Johnson, Chairperson  
Advisory Neighborhood Commission 1A  
3511 14th Street, N.W.  
2nd Floor  
Washington, D.C. 20010

  
MADELIENE H. ROBINSON  
Director

DATE: \_\_\_\_\_

15885Att/bhs