

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15936 of the District of Columbia Redevelopment Land Agency, pursuant to 11 DCMR 3108.1 and 3107.2, for a special exception to establish a health care facility, and a variance from the percentage of lot occupancy requirements (Subsection 403.2) to construct a new 125-bed health care facility in an R-4 District at premises 1800 7th Street, N.W. (Square 417, Lots 47-49, 800, 801, 809-813, and 815-821).

HEARING DATE: April 13, 1994  
DECISION DATE: April 13, 1994 (Bench Decision)

DISPOSITION: The Board GRANTED the application by a vote of 4-0 (Craig Ellis, Laura M. Richards, George Evans and Angel F. Clarens to grant; Maybelle Taylor Bennett not voting, having recused herself).

FINAL DATE OF ORDER: April 29, 1994

MODIFICATION ORDER

The Board granted the application by its order dated April 29, 1994. The provisions of 11 DCMR 3331.7 and 3331.8 provide that approval of an application includes approval of the plans included with the application for the construction of or addition to a building or structure unless the Board orders otherwise and that the applicant shall carry out such construction in accordance with the plans approved by the Board.

By letter dated July 28, 1994, counsel for the applicant filed a timely motion pursuant to 11 DCMR 3335 for modification of the plans previously approved by the Board. The proposed modification of plans would result in the relocation of the proposed outdoor sitting area from the southwest corner of the site adjacent to a parking area, to a location immediately adjacent to the building, and would relocate the ambulance parking space at the rear of the building.

In support of the motion, counsel for the applicant argued that the proposed modification would improve the function and design of the project. The relocation of the outdoor sitting area would decrease the distance that patients would have to walk or be wheeled from the building to the sitting area; would increase patient safety by eliminating the need to travel across the parking area to reach the sitting area; and would allow for the closing of the driveway entrance from 7th Street thereby freeing up on-street,

curb parking. The relocation of the ambulance parking space is requested due to an unforeseen programming need requiring the reconfiguration of the rear trash pick-up area.

The proposed modification of plans would not affect the number of patient units and parking spaces originally approved by the Board. No additional variance or special exception relief would be required. There was no opposition to the proposed modified plans.

Based on the foregoing, the Board concludes that the proposed modification of plans is minor in nature and would have no impact on the relief originally granted by the Board. The material facts relied upon by the Board are unaffected by the proposed modification of plans. No additional zoning relief is required. It is therefore **ORDERED** that the **MODIFICATION** of **PLANS** is hereby **APPROVED**, and that the revised plans marked as Exhibit No. 36A of the record shall be substituted for the plans previously approved by the Board. In all other respects, the Board's order dated April 29, 1994 shall remain in full force and effect.

DECISION DATE: September 7, 1994

VOTE: 3-0 (Angel F. Clarens, Craig Ellis, and Laura M. Richards to approve; Maybelle Taylor Bennett not voting, having recused herself; Susan M. Hinton not voting, not having heard the case).

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

ATTESTED BY:

  
MADELIENE H. ROBINSON  
Director

FINAL DATE OF ORDER: SEP 26 1994

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.

BZA APPLICATION NO. 15936  
PAGE NO. 3

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.

15936Mod/SS/bhs

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO. 15936

As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on SEP 26 1994 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:

Dana B. Stebbins  
Wilkes, Artis, Hedrick & Lane  
1666 K Street, N.W.  
Suite 1100  
Washington, D.C. 20006

Honorable Frank Smith  
Council of the District of Columbia  
District Building  
1350 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Andree Gandy  
2146 Georgia Avenue, N.W.  
Washington, D.C. 20001

Norman Wood  
1815 8th Street, N.W.  
Washington, D.C. 20001

Mary Treadwell, Chairperson  
Advisory Neighborhood Commission 1B  
P.O. Box 73710  
Washington, D.C. 20056

A handwritten signature in cursive script, reading "Madeline H. Robinson", is written over a horizontal line.

MADELIENE H. ROBINSON  
Director

DATE: SEP 26 1994

15936Att/bhs