

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 16023 of Ambassador Baptist Church, pursuant to 11 DCMR 3108.1, for a special exception under Section 205 to establish a child development center as a before and after school care program of 30 children on the first and second floors in an R-3 District at premises 1422 Minnesota Avenue, S.E. (Square 5605, Lot 13).

HEARING DATE: January 11, 1995
DECISION DATE: January 11, 1995 (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) 6C and to owners of property within 200 feet of the site.

The site of this application is located within the jurisdiction of ANC 6C. ANC 6C, which is automatically a party to this application, did not submit a written statement related to 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 a period of FIVE YEARS.
2. The maximum number of children shall be 15. The maximum number of staff shall be three full time employees.

3. The hours of operation shall be from 6:00 a.m. to 9:00 a.m. and 3:00 p.m. to 7:00 p.m., Monday through Friday. These hours may be exceeded when school schedules so require, e.g., snow days, halfdays.
4. One parking space shall be provided on the site for the exclusive use of the subject facility during its hours of operation.
5. No double parking shall be allowed on the street in front of the church. The applicant shall contact all clients about the prohibition of double parking.

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 (Angel F. Clarens, Laura M. Richards, Susan Morgan Hinton, William L. Ensign and Craig Ellis to grant).

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

ATTESTED BY:


MADELIENE H. ROBINSON
Director

FINAL DATE OF ORDER: FEB 2 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.

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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.

16023Order/TWR/bhs

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO. 16023

As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on FEB 2 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:

Reverend Roy Settles
1412 Minnesota Avenue, S.E.
Washington, D.C. 20020

Frieda R. Murray
1624 U Street, S.E.
Washington, D.C. 20020

Ms. Eckles
1425 Minnesota Avenue, S.E.
Washington, D.C. 20020

Herbert Harris, Jr., Chairperson
Advisory Neighborhood Commission 6A
1341 Maryland Avenue, N.E.
Washington, D.C. 20002

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

MADELIENE H. ROBINSON
Director

DATE: FEB 2 1995

16023Att/bhs

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO. 16023

As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on FEB 10 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:

Oliver Johnson, Chairperson
Advisory Neighborhood Commission 6C
2100-D Martin Luther King, Jr., Avenue, S.E.
Washington, D.C. 20020


MADELIENE H. ROBINSON
Director

DATE: FEB 10 1995

16023Att/bhs