

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 16145 of Trinity College, as amended, pursuant to 11 DCMR 3108.1, for special exceptions under Sections 210 and 205 for an amendment to an approved campus plan and for further processing under the amended plan to construct an addition to Alumnae Hall for a Campus Center and to allow an expanded child development center in an R-5-A District at premises 125 Michigan Avenue, N.E. (Square 3548, Lot 2 and Parcels 120/33 and 120/34).

HEARING DATE: September 4, 1996
DECISION DATE: September 4, 1996 (Bench Decision)

SUMMARY ORDER

The original application requested a special exception under Section 206 to establish a private school for 200 students, kindergarten through eighth grade. By letter dated August 21, 1996, the applicant withdrew its request for the private school special exception. The Board proceeded to hear the application under the provisions of 11 DCMR 3108.1 and Sections 210 and 205.

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) 5C and to owners of property within 200 feet of the site.

The site of the application is located within the jurisdiction of ANC 5C. ANC 5C, which is automatically a party to the application, submitted a written statement of 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 210 and 205. 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, 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 the application is **GRANTED SUBJECT** to the following **CONDITIONS**:

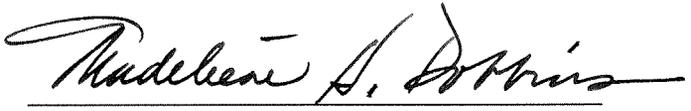
1. Approval of the amended Trinity College Master Plan (Exhibit No. 24A and 37A of the record) shall be for a period of **TEN YEARS**. The period of approval for the master plan and child development center shall run concurrently.
2. The total existing and proposed gross square feet for the campus shall be 615,710 square feet.
3. The total floor area ratio for the campus is .53.
4. There shall be a total of 526 parking spaces located on the grounds of the campus.
5. There shall be a maximum of 30 children attending the child development center. There shall be a staff of seven persons working at the facility.
6. The applicant shall provide at least two parking spaces for the child development center during its hours of operation.
7. Construction of the Campus Center shall be in accordance with plans marked as Exhibit No. 6 of the record. The exterior building materials shall be precast concrete and stone.
8. The applicant shall establish and maintain a community liaison program consisting of representatives of the college, the ANC, and the neighborhood. The applicant shall conduct meetings of the community liaison members at least two times per year. Notice of the meetings shall be mailed to the ANC and property owners within 200 feet of the premises at least one week prior to the meetings. The applicant shall be responsible for keeping minutes of the meetings and providing an annual report of its activities, copies of which shall be filed with the Board at the time of filing an application for continuation of the special exception relief.

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.

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VOTE: 3-0 (Susan Morgan Hinton, Sheila Cross Reid and Laura M. Richards to grant; Angel F. Clarens and Howard R. Croft not present, not voting).

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

ATTESTED BY: 
MADELIENE H. DOBBINS
Director

FINAL DATE OF ORDER: OCT 21 1996

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.

ord16145/TWR/LJP

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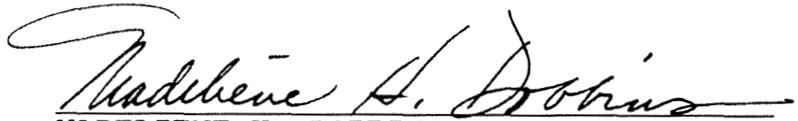
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As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on OCT 1 1996 a copy of the order entered on that date in this matter was mailed postage prepaid to each person who appeared and participated in the public hearing concerning this matter, and who is listed below:

Maureen E. Dwyer, Esquire
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Advisory Neighborhood Commission 5C
1723 3rd Street, N.E.
Washington, D.C. 20002


MADELIENE H. DOBBINS
Director

Date: OCT 1 1996