

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 16193 of the Council of Early Childhood, as amended pursuant to 11 DCMR 3108.1, for a special exception under Section 217 to establish nonprofit office use for a structure in an R-5-D District at premises 2460 16th Street, N.W. (Square 2571, Lot 50).

HEARING DATES: January 22, July 2 and September 17, 1997
DECISION DATE: October 1, 1997

SUMMARY ORDER

This application was originally advertised to request a variance from parking requirements of 11 DCMR 2101.1. At the hearing, the applicant testified that the property, located at 2460 16th Street, N.W., no longer needed a parking variance, because it now qualified as a Historic Landmark as indicated on the document from the Historic Preservation Review Board, Exhibit No. 37 of the record.

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 Commissions (ANCs) 1C & 1B and to owners of property within 200 feet of the site.

The site of this application is located within the jurisdiction of ANC 1C. ANC 1C, which is automatically a party to this 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 217. 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.

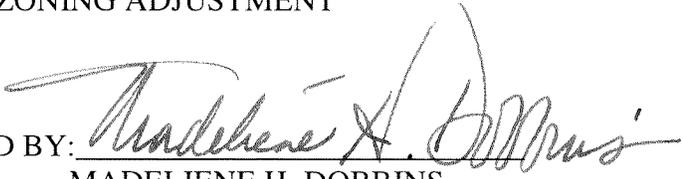
Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108 that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting 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 the application is **GRANTED, SUBJECT** to the following **CONDITIONS**:

1. The maximum number of people employed at the site shall be 31.
2. The regular days and hours of operation shall be from 8:00 a.m. to 6:00 p.m., Monday through Friday.

3. The exterior of the premises shall be kept free of trash and debris.
4. Landscaping shall be kept in a healthy growing condition.

VOTE: 3-0 (Betty King, Laura M. Richards and Susan Morgan Hinton to grant. Sheila C. Reid not present, not voting. Maybelle Taylor Bennett not present, not voting, not having heard the case).

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

ATTESTED BY: 
MADELIENE H. DOBBINS
Director

FINAL DATE OF ORDER: NOV 12 1997

PURSUANT TO D.C. CODE SEC. I-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 PROPER BASIS FOR THE REVOCATION OF THIS ORDER.

UNDER 11 DCMR 3103.11, "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 TWO YEARS 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.

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BZA APPLICATION NO. 16193

As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on NOV 12 1997 a copy of the order entered on that date in this matter was mailed first class postage prepaid to each person who appeared and participated in the public hearing concerning this matter, and who is listed below:

Jerald L. Clark AIA Arch
3530 T Street, N.W.
Washington, D.C. 20007

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

Dan Horrigan, Chairperson
Advisory Neighborhood Commission 1C
1728 Kalorama Road, N.W.
P.O. Box 21652
Washington, D.C. 20009

A handwritten signature in black ink, appearing to read "Madeliene H. Dobbins".

MADELIENE H. DOBBINS
Director

Date: NOV 12 1997