

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 16256 of the Church of the Reformation, pursuant to 11 DCMR 3108.1, for a special exception under Section 216 to establish church programs on the first floor of a structure in an R-4 District at premises 226 East Capitol Street, S.E. (Square 759, Lot 803).

**HEARING DATE:** October 1, 1997  
**DECISION DATE:** October 1, 1997 (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 Commissions (ANC) 6A & 6B and to owners of property within 200 feet of the site.

The site of this application is located within the jurisdiction of ANC 6A. ANC 6A, which is automatically a party to this application, and ANC 6B, submitted written statements in support of the application. Both ANCs changed from opposing to supporting the application after the applicant revised its application to request relief under Section 216 instead of 217.

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 Section 216. 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.

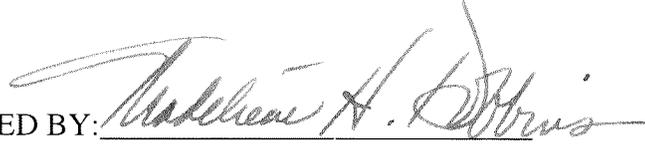
Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting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

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: 4-0 (Betty King, Sheila Cross Reid, Laura M. Richards and Susan Morgan Hinton to grant).

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

ATTESTED BY:



MADELIENE H. DOBBINS  
Director

FINAL DATE OF ORDER:                     OCT 30 1997                    

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 TWO YEARS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A PUBLIC PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

**16256.ord/PH/amb**

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



**BZA APPLICATION NO. 16256**

As Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that on OCT 30 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:

Reverend Paul A. Wee  
212 East Capital Street, N.E.  
Washington, D.C. 20003

Marshall Williams, Chairperson  
Advisory Neighborhood Commission 6A  
MedLink Hospital  
700 Constitution Avenue, N.E. - Suite 1-515  
Washington, D.C. 20002

A handwritten signature in black ink, reading "Madeliene H. Dobbins", written over a horizontal line.

MADELIENE H. DOBBINS  
Director

Date: OCT 30 1997

Att16256/amb