

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 16266 of Robert F. and Maria F. McCulloch, pursuant to 11 DCMR 3108.1, for a special exception under Section 2003 to continue to operate an automatic coin operated laundromat with a maximum of 27 machines and a dry cleaning pick-up service approved under BZA Order No. 14749 and continued under BZA Order No. 15321 on part of the first floor in an R-4 District at premises 300 11<sup>th</sup> Street, S.E. (Square S-990, Lot 812).

**HEARING DATE: October 15, 1997**

**DECISION DATE: October 15, 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 Commission (ANC) 6B and to owners of property within 200 feet of the site.

The site of this application is located within the jurisdiction of ANC-6B. ANC-6B, 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 2003. 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 **FIFTEEN YEARS**.
2. The hours of operation shall be from 7:00 a.m. to 9:00 p.m. daily.
3. An attendant shall be present on the premises at all times that the facility is in operation.

4. The dry cleaning pick-up and coin-operated laundry shall not be operated as two separate independent facilities. The floor plans of the premises shall be laid out so that there is an unimpeded view of the coin-operated laundry and the dry-cleaning pick-up operation.
5. Inflammable dry cleaning materials or material with toxic odors and fumes shall not be used at the premises.
6. The exterior and interior of the subject premises shall be maintained in a neat and orderly appearance and safe and clean condition at all times.
7. The applicant shall insure that the interior and exterior of the premises shall be monitored at all times the facility is in operation to prevent loitering or congregating of persons not patronizing the facility.

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 (Maybelle Taylor Bennett, Betty King, Sheila Cross Reid and Susan Morgan Hinton to grant; Laura M. Richards 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 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.

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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 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.

Ord16266/POH/LJP

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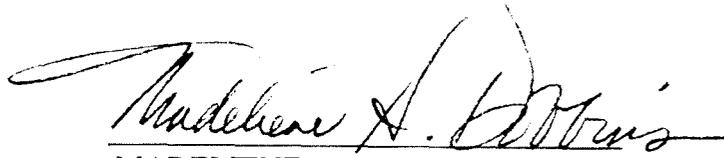
BZA APPLICATION NO. 16266

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:

Robert F. and Maria F. McCulloch  
4800 Upton Street, N.W.  
Washington, D.C. 20016

Tommy Wells, Chairperson  
Advisory Neighborhood Commission 6B  
921 Pennsylvania Avenue, S.E., Suite 108  
Washington, D.C. 20003

Mrs. Hae Ryun Kwak  
300 11<sup>th</sup> Street, S.E.  
Washington, D.C. 20003

  
MADELIENE H. DOBBINS  
Director

DATE: OCT 30 1997