

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No.16376 of Joan Sutton for Hope Village, pursuant to 11 DCMR 3108.1 for a special exception under Subsections 358.2, 358.7 and 358.8 to continue the Community Based Residential Facilities (CBRFs) in a square that has another CBRF with seven or more persons, to establish a CBRF in a square with more than one CBRF or within five hundred feet of another, and to establish a facility with more than twenty persons respectively in an R-5-A District, all uses located on the 1st, 2nd and 3rd floors at premises 2908 Langston Place, S.E., 2840 and 2850 Langston Place, S.E. (Square 5741, Lots 130, 131 and 850).

HEARING DATE: November 4, 1998
DECISION DATE: November 4, 1998 (Bench Decision)

SUMMARY ORDER

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 8B, and to owners of property within 200 feet of the site.

The site of this application is located within the jurisdiction of ANC 8B. ANC 8B, which is automatically a party to this application, did not submit a written statement of issues and concerns relating 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 Subsections 358.2, 358.7 and 358.8. No person or entity appearing as a party to this case testified in opposition to the application. 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 be **GRANTED, SUBJECT** to the following **CONDITIONS**:

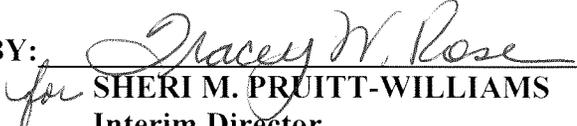
1. Approval is limited to a period of **15 YEARS** from the date of the order.

2. The facilities must meet all applicable regulatory and licensing requirements
3. The number of residents shall not exceed the following:
Square 5711, Lot 313 (2840 Langston Place, S.E.):**-42**;
Square 5741, Lot 863 (2908 Langston Place, S.E.):**-36**; and
Square 5741, Lot 130 (2850 Langston Place, S.E.):**-42**.
4. Off-street parking shall comply with the provisions of Chapter 21 DCMR 11.
5. The facilities shall be operated by Hope Village, Inc.
6. The applicant shall cooperate fully with liaison representatives of the Department of Corrections and Metropolitan Police Department.
7. The applicant shall establish an advisory committee, and shall invite representatives of community groups and neighboring residents to be on the committee. The applicant shall also invite the liaison representatives of the Department of Corrections and Metropolitan Police Department to serve on the committee.
8. The applicant shall adhere scrupulously to the community security plans and other plans set forth in the letter dated November 23, 1988, Exhibit No. 29 in the record of Case No. 14876.
9. The applicant shall install, and thereafter maintain in good condition, the plants and materials which are specified in the proposal which is attached to the letter dated December 30, 1988, Exhibit No. 31 in the record of Case 14876.

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: **3-0** (Sheila Cross Reid, Betty King and Jerry Gilreath to grant).

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

ATTESTED BY: 
for **SHERI M. PRUITT-WILLIAMS**
Interim Director

Final Date of Order: JEC - 3 1998

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 BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

SO16376/POH

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO.: 16376

DEC - 3 1998
As Interim Director of the Office of Zoning, I hereby certify and attest that on _____ a copy of the order entered on that date in this matter before the Board of Zoning Adjustment was mailed first class postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Leonard Gray
1008 Columbia Road, N.W.
Washington, D.C. 20001

Agnes Brown
2840 Langston Place, S.E.
Washington, D.C. 20020

Jeanett P. Henry, Esq.
1200 G Street, NW; Suite 370
Washington, D.C. 20005

Attested by: *Sheri M. Pruitt-Williams*
for SHERI M. PRUITT-WILLIAMS
Interim Director

DEC - 3 1998
Date: _____

Attest/SO 16376/POH