

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



**Application No. 16444** of St. Martin's Catholic Church/City Lights School, pursuant to 11 DCMR 3108.1, for a special exception under Section 206 to make alterations to a special education/alternative education school, and to construct an addition to the school to be used as a vocational arts building to train students in industrial arts (carpentry etc.). The property is located in an R-4 District at premises 62 T Street, N.E. (Square 3531 Lot 834 and Square 3532 Lots 824 and 826).

**HEARING DATES:** April 7, 1999 and May 5, 1999

**DECISION DATE:** May 5, 1999 (Bench Decision)

**SUMMARY ORDER**

The applicant requested a waiver of the application fee. The applicant stated that City Lights School is a nonprofit organization that was founded to assist troubled and needy adolescents in the Washington Metropolitan community. The Board determined that the school did not qualify, based on Subsection 3380.4 of the Zoning Regulations, to be exempt from paying the filing fee.

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) 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 this application, did not submit a written statement on the application.

As directed by 11 DCMR 3324.2, the Board 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 206. 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.

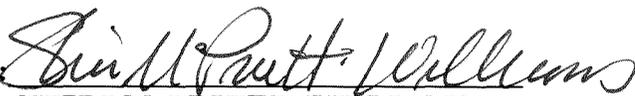
Based upon the record before the Board, the Board concludes that the applicant has met the burden of proof, pursuant to 11 DCMR 3108, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting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

1. Landscaping, to consist of evergreen trees of a minimum height of five feet when installed, shall be provided wherever infill is needed.
2. The parking spaces shall be striped.

Pursuant to 11 DCMR 3301.1, the Board has determined to waive the requirement of 11 DCMR 3331.3 that findings of fact and conclusions of law accompany the order of the Board. The waiver will not prejudice the rights of any party, and is appropriate in this case.

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

**THE D.C. BOARD OF ZONING ADJUSTMENT**

ATTESTED BY:   
SHERI M. PRUITT-WILLIAMS  
Interim Director

JUN - 7 1999

**FINAL DATE OF ORDER:** \_\_\_\_\_

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, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.