

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 17103 of Stanton Glenn Ltd. Partnership, pursuant to 11 DCMR § 3104.1, for a special exception to allow Child Development Center (60 children, ages infant to 14, and 20 staff) under section 205, (last approved by BZA Order No. 16568, dated May 1, 2000), in the R-5-A District at premises 3040 Stanton Road, S.E. (Square 5879, Lot 11).

HEARING DATE: March 30, 2004
DECISION DATE: March 30, 2004 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.

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, which is automatically a party to this application. ANC 8B did not participate in this application. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under § 205. No parties appeared at the public hearing in opposition to this application or otherwise requested to participate as a party in this proceeding. Accordingly, as set forth in the provisions and conditions below, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP report the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 205, that the requested relief can be granted, subject to the conditions set forth below, 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.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED** with the following **CONDITIONS**:

1. Approval shall be for **FIVE (5) YEARS**. At the three-year anniversary, the Applicant shall hold a meeting with Advisory Neighborhood Commission (ANC) 8A. The ANC is to provide a report to the Board.
2. The number of children shall not exceed 60.
3. The ages of the children shall range from infant to 14 years old.
4. The number of teachers and staff shall not exceed 20 at any one time.
5. The days and hours of operation shall be Monday through Friday, 7:00 AM to 6:00 PM.
6. Five (5) on-site parking spaces shall be provided.

VOTE: **3-0-2** (Geoffrey H. Griffis, John A. Mann III and Ruthanne G. Miller to approve, Curtis L. Etherly, Jr. and the Zoning Commission member not present, not voting).

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

Each concurring member approved the issuance of this order.

ATTESTED BY:


JERRILY R. KRESS, FAIA
Director, Office of Zoning

FINAL DATE OF ORDER: APR 01 2004

UNDER 11 DCMR 3125.9, "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 FOR THE BOARD OF ZONING ADJUSTMENT."

PURSUANT TO 11 DCMR 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN SIX MONTHS AFTER IT BECOMES EFFECTIVE UNLESS

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO. 17103

As Director of the Office of Zoning, I hereby certify and attest that on APR 01 2004 a copy of the order entered on that date in this matter was mailed first class, postage prepaid or delivered via inter-agency mail, to each party and public agency who appeared and participated in the public hearing concerning the matter, and who is listed below:

Stephen N. Gell, Esq
1101 30th Street, N.W., Fifth Floor
Washington, D.C. 20007

Chairperson
Advisory Neighborhood Commission 8A
2100 MLK Avenue, S.E.
Washington, D.C. 20020

Single Member District Commissioner 8A04
Advisory Neighborhood Commission 8A
2100 MLK Avenue, S.E.
Washington, D.C. 20020

Sandra Allen, City Councilmember
Ward Eight
1350 Pennsylvania Avenue, N.W.
Suite 408
Washington, D.C. 20004

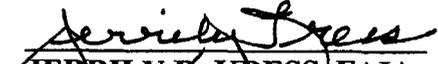
Denzil Noble, Acting Zoning Administrator
Building and Land Regulation Administration
Department of Consumer and Regulatory Affairs
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rsn

ATTESTED BY:


JERRILY K. KRESS, FAIA
Director, Office of Zoning