

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



Application No. 17312-A of Washington International School, pursuant to 11 DCMR § 3104.1, for a special exception under section 206 (Private Schools), to construct an addition of approximately 28,000 square feet to an existing building, consisting of a library, a theater and classroom space, and pursuant to 11 DCMR § 3103.2, for a variance under subsection 2117.4, from the requirement that each required parking space be accessible at all times directly from improved streets or alleyways via graded and unobstructed private driveways in the R-1-A District at premises 3100 Macomb Street, N.W. (Square 2084, Lot 837).

DECISION DATE: January 10, 2006

DECISION AND ORDER
ON
REQUEST FOR MODIFICATION OF PLANS¹

By order dated June 6, 2005, the Board of Zoning Adjustment (“Board”) approved Application No. 17312, of Washington International School (“Applicant”), including the plans submitted with that application. By letter dated December 19, 2005, the Applicant requested permission of the Board to modify those plans. After reviewing the documentation submitted with the Applicant’s request, at its January 10, 2005 public meeting, the Board voted 4-0-1 to approve the request for modification.

FINDINGS OF FACT

1. By order dated June 6, 2005,² the Board approved Application No. 17312, of Washington International School, including the plans submitted with that application.
2. By letter dated December 19, 2005, more than 6 months after the date of the final order, the Applicant submitted a request to modify those plans. *See*, 11 DCMR § 3129.3.
3. With its December 19, 2005 letter, the Applicant submitted the old, already-approved plans, and the new plans, showing the modifications proposed. *See*, Record Exhibit No. 49, with Attached Exhibit A (old plans) and Attached Exhibit B (new plans).
4. At its public meeting on January 10, 2006, the Board waived the 6-month requirement of 11 DCMR § 3129.3 and decided to accept, and address, the Applicant’s request.

¹This Order is an addendum to Board of Zoning Adjustment Order No. 17312. All provisions of Order No. 17312 remain in effect except as specifically modified herein.

²The Applicant’s December 19, 2005 letter states that the date of the final order was May 3, 2005. Either way, the request for modification of plans was submitted after the 6-month period had run.

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5. The plan modifications requested by the Applicant are as follows:
 - a. Relocation approximately 7 feet to the north of the parking spaces along the northern edge of the service drive, as well as relocation of the refuse service area from the middle of this parking area to its western edge, adjacent to the Arts and Athletic Center. These changes are necessitated by a widening of the service drive to the north of the Carriage House and Middle School Buildings, as required by the District of Columbia Fire and Emergency Medical Services Department. ("DCEMS")
 - b. Elimination of the parking deck and covered parking area, which were to be located between the Carriage House and the Arts and Athletic Center, and replacement with retention of the existing drive aisle and provision of 24 parking spaces, including 6 "stacked" spaces, which were approved in the original order. This modification is necessitated by the prohibitive cost of the original design.
 - c. Rearrangement of the parking area within the courtyard of the Carriage House to allow better access for emergency service vehicles, as required by DCEMS.
 - d. Removal of the trellis which would have been located to the west of the Gardener's Cottage and replacement with a stairway to the basement to improve basement access.
6. There will be no change in the number of parking spaces provided due to the modifications.
7. There was no opposition to the modifications voiced by any person or organization.

CONCLUSIONS OF LAW

The Board, after reviewing the Applicant's written submission and plans, as required by 11 DCMR § 3129.5, concludes that the modifications requested are minor and do not change the material facts upon which the Board relied in approving the application. *See*, 11 DCMR § 3129.7. Therefore, the Board concludes that the Applicant's request for permission to modify its plans, as set forth above, meets the requirements set forth in the regulations for a minor modification and it is hereby **ORDERED** that the application is **GRANTED**.

VOTE: 4-0-1 (Geoffrey H. Griffis, Ruthanne G. Miller, John A. Mann II and John G. Parsons to grant; Curtis L. Etherly not voting, not having participated)

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

Each concurring Board member has approved the issuance of this Order.

FINAL DATE OF ORDER: APR 04 2006

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 TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (ACT) THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.