

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



Application No. 17652 of Emanuel and Marcia Finn, pursuant to 11 DCMR §§ 3104.1 and 1555.2, for a special exception under § 205 to establish a child development center (20 children and 4 teachers) and a special exception under § 1553.2 to establish a new nonresidential use within the Sixteenth Street Heights overlay zone in the SSH/R-1-B district at premises 5705 14th Street, N.W. (Square 2796, Lot 833).

HEARING DATES: September 11, 2007 and December 11, 2007
DECISION DATE: February 5, 2008 and February 19, 2008

DECISION AND ORDER

This self-certified application was submitted January 24, 2007 by Emanuel Finn and Marcia Finn (together, the “Applicant”), the owners of the property that is the subject of the application. As finally amended, the application requested a special exception under § 205 to establish a child development center for 20 children and four teachers and a special exception under § 1553.2 to establish a new nonresidential use within the Sixteenth Street Heights overlay zone in the SSH/R-1-B zone district at 5707 14th Street, N.W. (Square 2796, Lot 833).¹ Following a public hearing and public meeting, the Board voted on February 19, 2008 to deny the application.

PRELIMINARY MATTERS

Notice of Application and Notice of Hearing. By memoranda dated April 3, 2007, the Office of Zoning provided notice of the application to the Office of Planning; the Department of Transportation; the Department of Health; the Councilmember for Ward 4; Advisory Neighborhood Commission (“ANC”) 4A, the ANC within which the subject property is located; and Single Member District/ANC 4A06. Pursuant to 11 DCMR § 3113.13, on June 8, 2007 the Office of Zoning mailed letters or memoranda providing notice of the hearing to the Applicant, ANC 4A, and owners of property within 200 feet of the subject property. Notice of the original hearing date, September 11, 2007, was published in the D.C. Register on June 15, 2007 (54 DCR 5823). When the hearing was postponed to December 11, 2007, at the Applicant’s request, notice was published again on October 5, 2007 (54 DCR 9528).

¹ The application originally sought special exception approval of a child development center for 30 children and 4 teachers, as well as a special exception under § 202.10 for permission to create an accessory apartment in the basement level of the one-family detached dwelling on the subject property. The request for a special exception under § 202.10 was subsequently withdrawn.

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Party Status. In addition to the Applicant, ANC 4A was automatically a party in this proceeding. At the public hearing, the Board granted party status in opposition to the application to the Sixteenth Street Heights Civic Association. A request for party status in opposition to the application from Nelson Dorsey and Ericka Dorsey was withdrawn.

Applicant's Case. The Applicant described plans to use the first and second floors of the existing building on the subject property as a child development center for 20 children and four teachers, with a one-bedroom apartment located on the basement level. According to the Applicant, the requirements of § 205 would be satisfied because the building was capable of meeting all building code requirements; the property could accommodate vehicles engaged in dropping off and picking up children at the center, and had adequate off-street parking in a two-car accessory garage to meet the reasonable needs of teachers; the enclosed rear yard would mitigate any objectionable noise or visual impacts associated with the child development center; and a nearby outdoor play area, at Hamilton Recreation Center, could be used under the supervision of the center's staff. The Applicant testified that the drop-off and pick-up times would be staggered, and that 40 percent of the children were expected to arrive on foot from the surrounding neighborhood.

The Applicant also asserted that the proposed child development center would be consistent with the requirements of the Sixteenth Street Heights overlay district set forth in § 1553.2. According to the Applicant, the center would not adversely affect the use and enjoyment of neighboring and nearby properties, in part because the Applicant would install noise-dampening panels and restrict the number of children allowed to use the play area in the rear yard at any given time.

Government Reports. By memorandum dated August 29, 2007, the Office of Planning ("OP") recommended denial of the original application as inconsistent with the requirements of § 205, pertaining to child development centers, and § 1553.2, concerning the establishment of new nonresidential uses within the Sixteenth Street Heights overlay zone. According to OP, the proposed child development center with 30 children would create objectionable impacts on adjacent and nearby properties, which were all developed with one-family detached dwellings with narrow yards, due to safety concerns related to the drop-off and pick-up of children at the mid-block site and to the use of an off-site play area, potential traffic congestion in the alley at the rear of the subject property, and the use of the rear yard at the subject property as a play area for as many as 30 children.

By memorandum dated November 28, 2007, the Office of Planning recommended approval of the revised application for a child development center with 20 children, subject to the following conditions: (i) pick-up and drop-off must be done on Montague Street only, for no more than 12 children, as recommended by the District Department of Transportation ("DDOT"); (ii) the Applicant must prepare an operating plan that would ensure safe access between the drop-off/pick-up location on Montague Street and the child development center, and submit the plan for review and approval by DDOT; (iii) a landscape plan must be submitted to the record depicting the species, locations, and number of plantings in the play area for the control of noise; (iv) the Applicant must restrict outdoor play to the hours between 9:00 a.m. and 6:00 p.m., for no

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more than five children at a time; and (v) the Hamilton Recreation Center must not be used as an off-site play area.² According to OP, approval of the revised application, subject to the recommended conditions, would satisfy the requirements of §§ 205, 1553.2, and 3104.

By supplemental memorandum dated January 29, 2008, the Office of Planning indicated that three other child development centers operated within 1,000 feet of the subject property. OP concluded that the cumulative effect of the Applicant's proposal and other child development centers in the vicinity would not have an adverse effect on the neighborhood, including with respect to traffic and noise, noting that two of the existing child development centers were located at elementary schools and served only students attending those schools and the third center was small and did not share common access or property lines with the subject property.

By memorandum dated September 4, 2007, the District Department of Transportation indicated objections to the application "from a transportation standpoint." DDOT noted that the subject property was located on a minor arterial street with a bus stop less than 100 feet from its entrance, and that the portion of 14th Street fronting the subject property had a larger median than in adjacent blocks and therefore was narrower and had limited space for maneuvering. In response to an early proposal by the Applicant to use the rear alley or 14th Street for drop-offs and pick-ups, DDOT recommended against the use of the alley, where parking was prohibited and pedestrian use was discouraged, and stated that the use of 14th Street could interfere with the flow of traffic and create unsafe conditions for picking up and dropping off up to 30 children, given the limited available on-street parking in front of the subject property, the nearby bus stop, and the heavy traffic during the morning and evening rush hours.

By memorandum dated November 29, 2007, DDOT reviewed the Applicant's revised proposal to operate a child development center for 20 children. DDOT reiterated its lack of support for the Applicant's plan to use 14th Street or the alley for purposes of dropping off and picking up children attending the center. Instead, DDOT recommended use of Montague Street for drop-off and pick-up, noting that unrestricted curbside parking spaces were available on Montague Street near its intersection with 14th Street. DDOT indicated "no objections to the proposal as long as the drop-off and pick-up of no more than 12 children be conducted exclusively on Montague Street."

By memorandum dated June 12, 2007, the Department of Health (Child and Residential Care Facilities Division in the Health Regulation Administration) recommended approval of the application. According to the Department of Health, "additional licensed child care slots would

² In testimony at the public hearing, the Office of Planning indicated that its proposed condition that would prevent the Applicant from using the Hamilton Recreation Center as an off-site play area would not be necessary in light of testimony from the Applicant. OP had proposed the condition in response to the concern of the Department of Health that the half-mile distance between the subject property and the play area was too far for small children to walk. Applicant indicated at the hearing that the small children could be transported to the play area in wagons or strollers.

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[be] greatly beneficial to the City's increasing demand for licensed child care businesses.”³

ANC Report. By letter dated December 5, 2007, ANC 4A indicated that, at a regularly scheduled and properly noticed meeting on December 4, 2007, with a quorum present, the ANC voted 5 to 1 to recommend approval of the revised application.⁴ At the same meeting, the ANC also voted to rescind a motion approved June 5, 2007 in opposition to the original application.

Party in Opposition to the Application. The Sixteenth Street Heights Civic Association opposed approval of the requested special exceptions on the grounds that: (a) a neighborhood setting was inappropriate for a full-time commercial business, and areas zoned R-1 should be reserved for residential use and should not be used to house commercial businesses; (b) the Applicant's proposal would cause objectionable conditions in that a child development center for 20 children and four teachers at the subject property would increase parking, traffic, and noise in the neighborhood; and (c) the Applicant's proposed drop-off/pick-up plan was overly complex, difficult in practical application, and dangerous on the busy commuter thoroughfare, which lacked guaranteed parking spaces, in front of the subject property.

The association noted that a child-care facility currently operated at the subject property, for five children, already created objectionable noise impacts that adversely affected the use of neighboring properties. The association also objected to the introduction of a new nonresidential use at the subject property because the area is “currently overwhelmed with non-residential use homes” as well as churches, embassies, and other non-residential that have altered “the tone and tenor” of the neighborhood.

Person in Support of the Application. The Board heard received letters or heard testimony from several witness in support of the application, who described a need for child care in the neighborhood and stated that the Applicant's proposed child development center would not create objectionable impacts.

Persons in Opposition. The Board received letters or heard testimony from several persons in opposition to the application, who generally cited an already prevalent use of houses in the

³ According to the Office of Planning, the Department of Health later expressed reservations about the Applicant's proposal in light of concerns that (i) part of the outdoor play area in the rear yard of the subject property was paved; (ii) one off-site play area considered by the Applicant was too far from the subject property for small children to walk and another lacked a fence to enclose the play area; and (iii) the entrance to the basement apartment, located in the rear yard, was not separated from the outdoor play area and lacked a gate at the stairs leading to the entrance from the play area.

⁴ At the public hearing on December 11, 2007, a commissioner member of ANC 4A stated that the ANC supported approval of the revised application subject to the conditions recommended by the Office of Planning in its memorandum dated November 28, 2007. By letter dated January 11, 2008, the ANC 4A Chair reiterated that “at the December 4, 2007 meeting Advisory Neighborhood Commission 4A voted 5 to 1 to recommend approval of the revised application” (emphasis deleted). The letter does not mention the conditions proposed by the Office of Planning.

neighborhood for purposes other than one-family dwellings as well as adverse impacts relating to noise, traffic, and parking that would be caused by the proposed child development center.

FINDINGS OF FACT

The Subject Property and Surrounding Area

1. The subject property is located at 5707 14th Street, N.W., midblock on the east side of 14th Street between Madison and Montague Streets (Square 2796, Lot 833).
2. The lot is rectangular, 40 feet wide and 119 feet long, and has an area of 4,760 square feet.
3. The property is improved with a building constructed as a one-family detached dwelling and an accessory garage located at the rear of the lot. The building has an area of 3,000 square feet on two stories and a basement.
4. The building currently contains a basement apartment.
5. The rear yard of the subject property is enclosed by a wooden stockade fence six feet high. A paved walkway extends from the house to the garage, while the remaining area is planted with grass, trees, and shrubs. The rear yard contains a play area and an area used for an entry to the basement apartment.
6. As of the date of the hearing, the Applicant had been operating a “day care” center at the subject property for five children for approximately two (2) years.⁵
7. Noise from the children playing in the rear yard of the subject property has disturbed the quiet enjoyment of certain nearby residential properties, notably 5703 14th Street, N.W two doors down from the subject property (nursery room relocated as a result), and 1354 Montague Street., N.W. one door away from the subject property (work in home office difficult.)
8. The rear of the lot abuts a public alley, 15 feet wide, that runs north-south between Madison and Montague Streets. The alley intersects with another public alley, also 15 feet wide, that extends to the east from an intersection near the subject property.

⁵ Applicant characterized its current child care operations as “day care” on its Application and as a “child development home” in its Proposed Findings of Fact and Conclusions of Law. The definition of Child Development Home encompasses, *inter alia*, facilities generally known as day care centers. See 11 DCMR 199.1, *Child development home*. A child development home is limited to 5 children 15 years of age or less and is a matter of right accessory use in this District if it complies with the provisions of 11 DCMR 202.4. The Board makes no finding with respect to whether the operation of the “day care” center at the subject property was consistent with the requirements of the Zoning Regulations.

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9. The subject property provides two off-street parking spaces in the accessory garage, which is accessible via the alley. The garage is approximately 20 feet on each side (420 square feet).
10. The subject property has side yards of four feet on the north side and 10 feet on the south side. Both abutting properties contain one-family detached dwellings.
11. Properties in the vicinity of the subject property are developed primarily with one-family detached dwellings. The majority of the dwellings are devoted to one-family residential use, although some are used as community-based residential facilities.
12. Other child development facilities located within 1,000 feet of the subject property include a child development home for two infants and three preschool children located in a residence at 5716 Colorado Avenue, N.W., in the same square and approximately 400 feet from the subject property; a before- and after-school program at Community Academy Public Charter School, approximately 580 feet away; and an after-school program at Brightwood Elementary School, approximately 665 feet away. Enrollment at each of the school programs is limited to students attending those schools.
13. The subject property fronts on Fourteenth Street, a two-way minor arterial divided by a median strip 10 feet wide. The street has two lanes in each direction; each lane is 10 feet wide.
14. Parking is permitted on both sides of 14th Street, as well as on Montague and Madison Streets in the vicinity of the subject property. Unrestricted parking is permitted on the south side of Montague Street east of 14th Street, the area that DDOT recommended that the Applicant use for drop-off and pick-up of children attending the proposed child development center.
15. A Metrobus stop is located on 14th Street in the same block as the subject property, approximately 85 feet away.

Applicant's Proposal

16. The Applicant proposes to use the first and second floors of the existing building on the subject property as a child development center for 20 children and four teachers. Interior space in the building would be designated as play rooms, interactive learning rooms, sleeping areas, day rooms, a kitchen, and an office for employees of the center. The entrance to the center would be via the front door of the building; a rear door would provide access to an outdoor play area in the rear yard of the subject property.
17. The child development center would serve a maximum of 20 children, comprised of 12 children up to two years old, four children three to four years old, and four children older than four, up to 13 years old.

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18. The hours of operation of the child development center would be 7:00 a.m. to 7:00 p.m.
19. A maximum of five children would be permitted to use the outdoor play area at any one time.
20. The Applicant plans to install sound-dampening panels on the fence enclosing the rear yard to mitigate adverse noise impacts associated with the use of the outdoor play area. According to an acoustical analysis submitted by the Applicant, the installation of panels as originally proposed by the Applicant would result in a reduction of noise that would not be “perceptually audible,” but modifications were possible that would improve the sound isolation of the fence so as to reduce noise levels by approximately 50 percent compared to the unmodified fence or the originally modified fence.
21. The Applicant plans to use as an off-site play area, the Hamilton Recreation Center, a playground enclosed by a fence located approximately a half-mile from the subject property. The Applicant indicated that the center’s employees could transport the children to the off-site play area in wagons or strollers.
22. Most of the basement of the existing building was converted for use as a one-bedroom apartment, accessed via a staircase reached through the rear yard, adjacent to the outdoor play area used by the child development center. The Applicant indicated that a fence would separate the residential entrance from the play area.
23. The accessory garage on the subject property would provide two parking spaces for use by the four employees of the child development center. Pursuant to chapter 21 of the Zoning Regulations, a child development center must provide at least one parking space for each four teachers and other employees. *See* 11 DCMR § 2101.1.
24. The Applicant submitted a transportation management plan intended to provide for the safe drop-off and pick-up of children and to minimize the impact of traffic related to the child development center on the neighborhood. The plan addressed matters relating to traffic routes, parking, and procedures for the drop-off and pick-up of children, and listed sanctions for noncompliance.
25. Pursuant to the transportation management plan, the Applicant would direct drivers coming to the center to arrive on eastbound Montague Street just east of 14th Street. Employees of the center would meet the vehicles at the curb and would escort children to and from the child development center during drop-off and pick-up periods.
26. The Applicant’s facility is capable of meeting all applicable code and licensing requirements.

Harmony with Zone Plan

27. The subject property and surrounding area are located within the Sixteenth Street Heights (“SSH”) overlay district; the underlying zoning classification is R-1-B. The R-1 district is designed to protect quiet residential areas now developed with one-family detached dwellings and adjoining vacant areas likely to be developed for those purposes. 11 DCMR § 200.1.
28. The purposes of the Sixteenth Street Heights overlay district are to (a) promote the conservation, enhancement, and stability of the low-density, single-family neighborhood for housing and neighborhood-related uses; (b) control the further conversion of residential housing to nonresidential uses in order to maintain the housing supply and minimize the external negative impacts of new nonresidential uses that are permitted in the SSH/R-1-B District in order to preserve neighborhood quality; and (c) allow the neighborhood to continue to provide a range of health and social service facilities as well as private institutions that provide cultural and religious enrichment and economic vitality, but within the framework of improved public review and control over the external effects of nonresidential uses. The objective is to make more compatible the Comprehensive Plan’s goals and policies for maintaining the quality and stability of residential neighborhoods with other policies related to the reasonable provision of human services throughout the District of Columbia. 11 DCMR § 1551.3.

CONCLUSIONS OF LAW

The Applicant seeks a special exception under § 205 to establish a child development center with a maximum enrollment of 20 children and four teachers, and a special exception under § 1553.2 to establish a new nonresidential use within the Sixteenth Street Heights overlay zone in the SSH/R-1-B zone district at 5707 14th Street, N.W. (Square 2796, Lot 833).⁶ The Board is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2) (2001), to grant special exceptions, as provided in the Zoning Regulations. Subsection 3104.1 of those regulations generally authorizes the Board to grant a special exception if the use will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property, subject to specific conditions.

The specific conditions applicable to the grant of a special exception for a child development center in the SSH/R-1-B zone district are set forth at 11 DCMR § 205. The provisions of that section require that require that (a) the center must be capable of meeting all applicable code and

⁶ The Applicant’s proposed Findings of Fact and Conclusions of Law indicated that the Applicant sought approval of a child development center for 20 children “on-site at any given time.” However, the application submitted to the Board requested a special exception to allow a child development center for 30 children, later revised to 20 children. The Board considered this application as seeking approval of a child development center with a maximum total enrollment of 20 children. The party in opposition and the government agencies that participated in this case also based their reports and testimony on a maximum enrollment of 20 (or 30) children at the proposed child development center.

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licensing requirements (§ 205.2); (b) the center must be located and designed to create no objectionable traffic condition and no unsafe condition for picking up and dropping off persons in attendance (§ 205.3); (c) the center must provide sufficient off-street parking spaces to meet the reasonable needs of teachers, other employees, and visitors (§ 205.4); (d) the center, including any outdoor play space provided, must be located and designed so that there will be no objectionable impacts on adjacent or nearby properties due to noise, activity, visual, or other objectionable conditions (§ 205.5); and (e) any off-site play area must be located so as not to result in endangerment to the individuals in attendance at the center in traveling between the play area and the center (§ 205.7). The Board may require special treatment in the way of design, screening of buildings, planting and parking areas, signs, or other requirements deemed necessary to protect adjacent and nearby properties. 11 DCMR § 205.6. The Board may approve more than one child or elderly development center or adult day treatment facility in a square or within 1,000 feet of another such facility only when the Board finds that the cumulative effect of the facilities will not have an adverse impact on the neighborhood due to traffic, noise, operations, or other similar factors. 11 DCMR § 205.8.

The Board was not persuaded by the Applicant that the proposed child development center at the subject property would satisfy the provisions of § 205. While the center would be capable of meeting all applicable code and licensing requirements and would provide parking in excess of the number of spaces required by chapter 21 of the Zoning Regulations, the center would not be located so as to avoid creating objectionable traffic conditions, unsafe conditions for picking up and dropping off children in properties.

The subject property is located in the middle of a block and fronts on a busy arterial street. Because DDOT recommended against the Applicant's initial plans to use 14th Street or the alley for drop-offs and pick-ups, the Applicant devised a transportation management plan that would require vehicles to stop on Montague Street, where the curb lane may be used for parking, so that employees of the center could assist in getting children in and out of vehicles and escort them to and from the center. Despite the Applicant's testimony that arrival and departure times would be staggered and that a number of children would likely arrive on foot, the Board concurs with the party in opposition that the Applicant's proposed drop-off and pick-up arrangements would be "difficult in practical application" and likely to result in objectionable traffic conditions and unsafe conditions for drop-offs and pick-ups. The success of the transportation management plan would depend in large measure on strict compliance with its provisions by persons in vehicles dropping off and picking up children from the child development center. Further, DDOT's support of the application was contingent on the condition that no more than 12 children be driven to school. The Board finds this condition to be critical to the success of the transportation management plan with respect to preventing adverse impacts related to traffic and safety of the children, yet finds that it is not readily enforceable. Accordingly, without confidence that this critical component will be implemented, the Board is not persuaded that the location of the center will not result in an adverse impact on the neighborhood with respect to traffic nor that pick-up and drop-off conditions will be safe.

The Board also was not persuaded that the planned outdoor play space would be located and designed so that there would be no objectionable impacts on adjacent or nearby properties due to noise, activity, visual, or other objectionable conditions. Use of the outdoor play space by the proposed child development center would likely result in objectionable impacts on neighboring properties due to noise. The relatively small play area would be located in the rear yard of the subject property, in close proximity to the rear yards of several one-family dwellings, and would be used throughout the day by 20 children. Even if limited to five children at a time, use of the play area by the children attending the proposed child development center would result in a greater intensity of use than would be likely at most one-family dwellings in the neighborhood and a greater intensity of use than the current child development home whose noise from the children in the rear yard has disturbed some neighboring properties. The Board was not persuaded that the installation of sound panels or landscaping in the rear yard, or OP's recommendation to allow use of the outdoor play area only between 9:00 a.m. and 6:00 p.m., would be effective at mitigating adverse noise impacts associated with the outdoor play area.

Pursuant to § 1553.2, a new nonresidential use may be permitted as a special exception within the Sixteenth Street Heights overlay district if approved by the Board subject to certain requirements, including that the nonresidential use must be capable of being established and operated without adversely affecting the use and enjoyment of neighboring and nearby properties due to traffic, noise, design, or other objectionable conditions. For the reasons already discussed, the Board is not persuaded that the proposed child development center will operate at the subject property without adversely affecting the use and enjoyment of neighboring and nearby properties due to objectionable conditions, especially pertaining to traffic and noise.

The Board concludes that approval of the proposed child development center would not be consistent with the purposes of the Sixteenth Street Heights overlay zone to promote the stability of the low-density, single-family neighborhood for housing and neighborhood-related uses and to control the further conversion of residential housing to nonresidential uses in order to maintain the housing supply and minimize the external negative impacts of new nonresidential uses permitted in the SSH/R-1-B district. The Board does not credit the testimony of the Office of Planning that the cumulative impact of the proposed child development center and other facilities already in the neighborhood would not have an adverse impact on the neighborhood due to traffic, noise, operations, or other similar factors, because OP did not provide any explanation for its conclusion. Rather, the Board concludes that the introduction of a nonresidential use at the subject property would create external negative impacts, especially in light of its midblock location and testimony from the party in opposition that the single-family residential character of the neighborhood has been altered by the prevalence of uses other than single-family residential in other former dwellings in the vicinity.

The Board is required to give "great weight" to the issues and concerns of the affected Advisory Neighborhood Commission and to the recommendations of the Office of Planning. ANC 4A did not submit a report indicating its issues and concerns, but stated by letter only that the ANC recommended approval of the revised application. The Office of Planning recommended approval of the revised application, but the Board was not persuaded that the conditions of

approval recommended by OP would be adequate to avoid the creation of objectionable conditions or that approval of the requested special exceptions would be in harmony with the general purpose and intent of the Zoning Regulations and would not tend to affect adversely the use of neighboring property.

Based on the findings of fact, and having given great weight to the recommendations of the Office of Planning and ANC 4A, the Board concludes that the Applicant has not satisfied the requirements for a special exception under § 205 to establish a child development center for 20 children and 4 teachers or a special exception under § 1553.2 to establish a new nonresidential use within the Sixteenth Street Heights overlay zone in the SSH/R-1-B district at 5705 14th Street, N.W. (Square 2796, Lot 833). Accordingly, it is therefore **ORDERED** that the application is **DENIED**.

VOTE: **3-0-2** (Ruthanne G. Miller, Mary Oates Walker, and Gregory N. Jeffries voting to deny; Marc D. Loud not participating, having recused himself; Shane L. Dettman, not participating, not voting)

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

Each concurring Board member approved the issuance of this order.

ATTESTED BY:


JERRILY R. KRESS, FAIA
Director, Office of Zoning

FINAL DATE OF ORDER: **JUN 04 2008**

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



BZA APPLICATION NO. 17562

As Director of the Office of Zoning, I hereby certify and attest that on **JUNE 4, 2008**, 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 who appeared and participated in the public hearing concerning the matter and to each public agency listed below:

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TWR