

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Board of Zoning Adjustment**



**Application No. 17728 of Family Place**, pursuant to 11 DCMR § 3104.1, for a special exception for a community service center (last approved under BZA Order No. 16910) under section 334, in the R-5-B District at premises 3309 16<sup>th</sup> Street, N.W. (Square 2676, Lot 469).

**HEARING DATE:** March 11, 2008

**DECISION DATE:** April 1, 2008

**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) 1A and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 1A, which is automatically a party to this application. ANC 1A submitted a report in support of the application. The Office of Planning (OP) also 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 section 334. No parties appeared at the public hearing in opposition to this 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 and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 334, that the requested relief can be granted, 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.

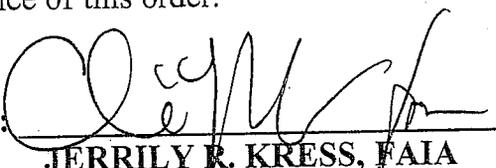
Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application be **GRANTED**, **SUBJECT to the following CONDITIONS:**

1. Approval shall be for a term of **FIVE (5) YEARS** from the final date of this order.
2. There shall be two (2) parking spaces provided on site.
3. The hours of operation shall be from 9:00 a.m. to 7:30 p.m., Monday through Friday, with occasional meetings on weekends or weeknights.
4. The number of full time employees shall not exceed 13.
5. There shall be a maximum of 45 persons on site at any given time.
6. Trash shall be picked up from the center two (2) times per week. Bulk trash shall be kept inside the building and shall not be placed outside more than 24 hours before removal is scheduled.
7. Dusk-to-dawn lighting shall be installed and maintained on the front and rear of the building.
8. New bilingual (English and Spanish) signage shall be placed and maintained on the front porch indicating that:
  - a. donations are accepted only during regular business hours; and
  - b. there is to be no loitering.
9. The Family Place shall hold a meeting with its neighbors on a quarterly basis to discuss operations of the center. Such meeting shall be advertised by flyer to all homes in the 3300 block of 16<sup>th</sup> Street, N.W. and to Advisory Neighborhood Commission 1A and the Single Member District Commissioner for ANC 1A05.

**VOTE:** 5-0-0 (Ruthanne G. Miller, Curtis L. Etherly, Jr., Mary Oates Walker and Shane L. Dettman to approve; Marc D. Loud to approve by absentee vote)

**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: APRIL 7, 2008**

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 THE USE APPROVED IN THIS ORDER IS ESTABLISHED WITHIN SUCH SIX-MONTH PERIOD.

PURSUANT TO 11 DCMR § 3205, FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART, SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE 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, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Board of Zoning Adjustment**



**BZA APPLICATION NO. 17728**

As Director of the Office of Zoning, I hereby certify and attest that on **APRIL 7, 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:

Kinley R. Dumas, Esq.  
Arent Fox LLP  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5339

Camille C. Fountain  
Executive Director  
The Family Place, Inc.  
3309 16<sup>th</sup> Street, N.W.  
Washington, D.C. 20010

Chairperson  
Advisory Neighborhood Commission 1A  
P.O. Box 73325  
Washington, D.C. 20058

Single Member District Commissioner 1A05  
Advisory Neighborhood Commission 1A  
P.O. Box 73325  
Washington, D.C. 20058

Matthew LeGrant, Zoning Administrator  
Dept. of Consumer and Regulatory Affairs  
Building and Land Regulation Administration  
941 North Capitol Street, N.E., Suite 2000  
Washington, D.C. 20002  
**Jim Graham, City Councilmember**

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441 4<sup>th</sup> Street, N.W., Suite 200/210-S, Washington, D.C. 20001

Telephone: (202) 727-6311

Facsimile: (202) 727-6072

E-Mail: [dcoz@dc.gov](mailto:dcoz@dc.gov)

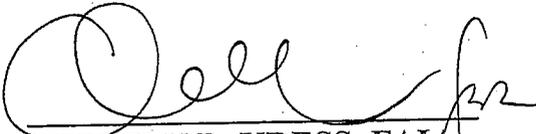
Web Site: [www.dcoz.dc.gov](http://www.dcoz.dc.gov)

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Jim Graham, City Councilmember  
Ward One  
1350 Pennsylvania Avenue, N.W., Suite 105  
Washington, D.C. 20004

Jill Stern, Esquire  
General Counsel  
Department of Consumer and Regulatory Affairs  
941 North Capitol Street, N.E., Suite 9400  
Washington, D.C. 20002

**ATTESTED BY:**



**JERRILY R. KRESS, FAIA**  
**Director, Office of Zoning**

TWR