

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



Application No. 17826-A of Maret School Inc., pursuant to 11 DCMR § 3104.1, for a special exception to permit an increase in faculty, staff and student enrollment for a private school under section 206, in the R-1-B/R-3 Districts at premises 3000 Cathedral Avenue, N.W. (Square 2113, Lot 843).

HEARING DATE: October 21, 2008
DECISION DATE: November 5, 2008

CORRECTED ORDER¹

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) 3C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 3C, which is automatically a party to this application. ANC 3C 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 relief under section 206. 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

¹ The original order is being revised to change Condition Nos. 1 and 9 to more accurately reflect the record with regard to these conditions. The changes are shown in italics.

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DCMR §§ 3104.1 and 206, 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 § 3100.5, 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. The maximum number of students shall not exceed 635, and the number of faculty and staff shall not exceed 129 *employed for any one period of the day*.
2. The applicant shall submit a report every other year to ANC 3C and the District Department of Transportation. The report shall provide enrollment and staffing figures and a description of the school's performance related to the transportation management plan from the preceding year.
3. The applicant shall provide a total of 139 parking spaces onsite, of which a minimum of 10 shall be dedicated to visitor parking.
4. The applicant will prohibit vehicles from making a left-hand turn onto campus from Cathedral Avenue during school drop-off and pick-up times.
5. The applicant will instruct parents not to park on, or queue on, Cathedral Avenue to wait for their children at school drop-off or pick-up times.
6. The applicant will continue to provide traffic control personnel at both ends of its driveway during school drop-off and pick-up times to facilitate on-campus traffic flow and enforce drop-off and pick-up procedures.
7. The applicant will encourage carpooling by establishing an online system to help parents identify other families along their travel route and distributing information regarding the location of other families in the area to parents at the start of each academic year.
8. The applicant will distribute a policy manual to all families prior to the start of the academic year that explains all relevant policies and procedures regarding parking, pick-up, drop-off and penalties for non-compliance. This information shall also be posted on the school's website.
9. The applicant shall subsidize *upper-class* students, faculty and staff in the use of public transportation.

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VOTE: **5-0-0** (Ruthanne G. Miller, Shane L. Dettman and Mary Oates Walker to approve; Marc D. Loud and Michael G. Turnbull 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: DEC 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.

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. TWR

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As Director of the Office of Zoning, I hereby certify and attest that on **DECEMBER 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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ATTESTED BY:



JERRILY R. KRESS, FAIA
Director, Office of Zoning

TWR