

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



Application No. 17957 of Washington International School, pursuant to 11 DCMR § 3104.1, for a special exception to increase the faculty and staff from 64 to 69, to allow a new one-story addition to the existing school, and to amend the number of conditioned on-site parking spaces from 47 to 56, under section 206, in the R-3 District at premises 1690 36th Street, N.W. (Square 1304, Lot 14).

HEARING DATE: September 15, 2009
DECISION DATE: September 15, 2009

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) 2E and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2E which is automatically a party to this application. ANC 2E submitted a report in support of the application. The Office of Planning (OP) and Department of Transportation (DDOT) also submitted reports in conditional support of the application. The Applicant submitted for the record a Construction Management Agreement and a Transportation Management Plan Agreement executed by ANC 2E, Cloisters West Homeowners Association and Burleith Citizens Association, and Washington International School.

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 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, pursuant to Exhibit No. 26-E (Plans) be **GRANTED, SUBJECT to the following CONDITIONS:**

1. The maximum number of faculty and staff shall not exceed 69.
2. The number of faculty and staff that park at the site shall not exceed 56 at any one time.
3. Parking spaces "a" through "f" and the delivery space, as shown on the site plan dated July 2009 (Exhibit 25) shall not be used for faculty and staff parking, but shall remain vacant during the day for visitors and deliveries, unless otherwise prohibited by the fire marshal, and otherwise used only for drop-off and pick-up of students.
4. The Applicant shall implement the Transportation Management Plan Agreement, dated August 31, 2009. (Exhibit 33).
5. The Applicant shall increase the number of bike parking spaces on the site from six (6) to at least 15.
6. The Applicant shall make the 36th Street sidewalk ADA compliant between the southern curb cut and Reservoir Road.
7. Condition No. 1 in BZA Order No. 16890 requiring the Applicant to reserve seven (7) visitor spaces is hereby deleted.¹

VOTE: **4-0-1** (Meridith H. Moldenhauer, Shane L. Dettman, Marc D. Loud and Anthony J. Hood to APPROVE; one Mayoral appointee (vacant) not present, not voting)

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

A Majority of the Board members approved the issuance of this order.

ATTESTED BY: _____


JAMISON L. WEINBAUM
Director, Office of Zoning

FINAL DATE OF ORDER: SEP 22 2009

¹ Condition No. 1 provides: "The location of the seven (7) visitor parking spaces shall be clearly marked."

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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 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.

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



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As Director of the Office of Zoning, I hereby certify and attest that on **SEPTEMBER 22, 2009**, 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:



JAMISON L. WEINBAUM

Director, Office of Zoning

TWR