

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR



December 14, 2011

Via Emailed PDF and US Mail

Martin P. Sullivan
Sullivan & Barros, LLP
1990 M Street, NW- Suite 200
Washington, DC 20036

Re: 1138 6th Street, N.E. – Square 829, Lot 65 – Mount Olive Baptist Church

Dear Mr. Sullivan:

This letter confirms my office's determination, per our telephone discussion on December 6th, 2011, that a Child Development Center is permitted as a matter-of-right if located in the building (the "Building") on the above-referenced property located at 1138 6th Street, N.E., Square 829, Lot 65 (the "Property") in the R-4 zone district.

According to the materials I have reviewed - including the current Certificate of Occupancy No. B98182, photos of the building (including the above-ground building connection), and representations of the history of the Mt. Olive Baptist Church at this location – I have determined that Child Development Center Use is permitted as a matter of right on the Property, pursuant to 11 DCMR § 330.5(b).

Section 330.5(b) provides:

330.5 The following uses shall be permitted as a matter of right in an R-4 District:

- (b) Child/Elderly development center located in a building that was built as a church and that has been used continuously as a church since it was built; provided, that all of the play space required for the center by the licensing regulations shall be located on the same lot on which the center is located;

According to the information you provided, I have determined that the Building consists of the originally constructed church building (referred to here as the "Old Church" portion of the Building), constructed well before 1958, and an addition to that church building (known as the "New Church" portion of the Building). The Old Church and New Church portions of the

Building are connected via an above-ground connection and therefore are one "building" under the D.C. Zoning Regulations.

Because Mt. Olive Baptist Church has operated continuously as a church in this Building from its original construction (circa 1915) to the present time, a Child Development Center may be operated in the Building as a matter-of-right - with no need for Special Exception approval - provided that all of the play space required for this child development center by the licensing regulations is located on the Property.

The information which you provided to me is attached to this letter, including your e-mail, a copy of the Certificate of Occupancy, and Google Earth photos showing the Building and the Building's connection.

Please feel free to contact me if you have any questions.

Sincerely,

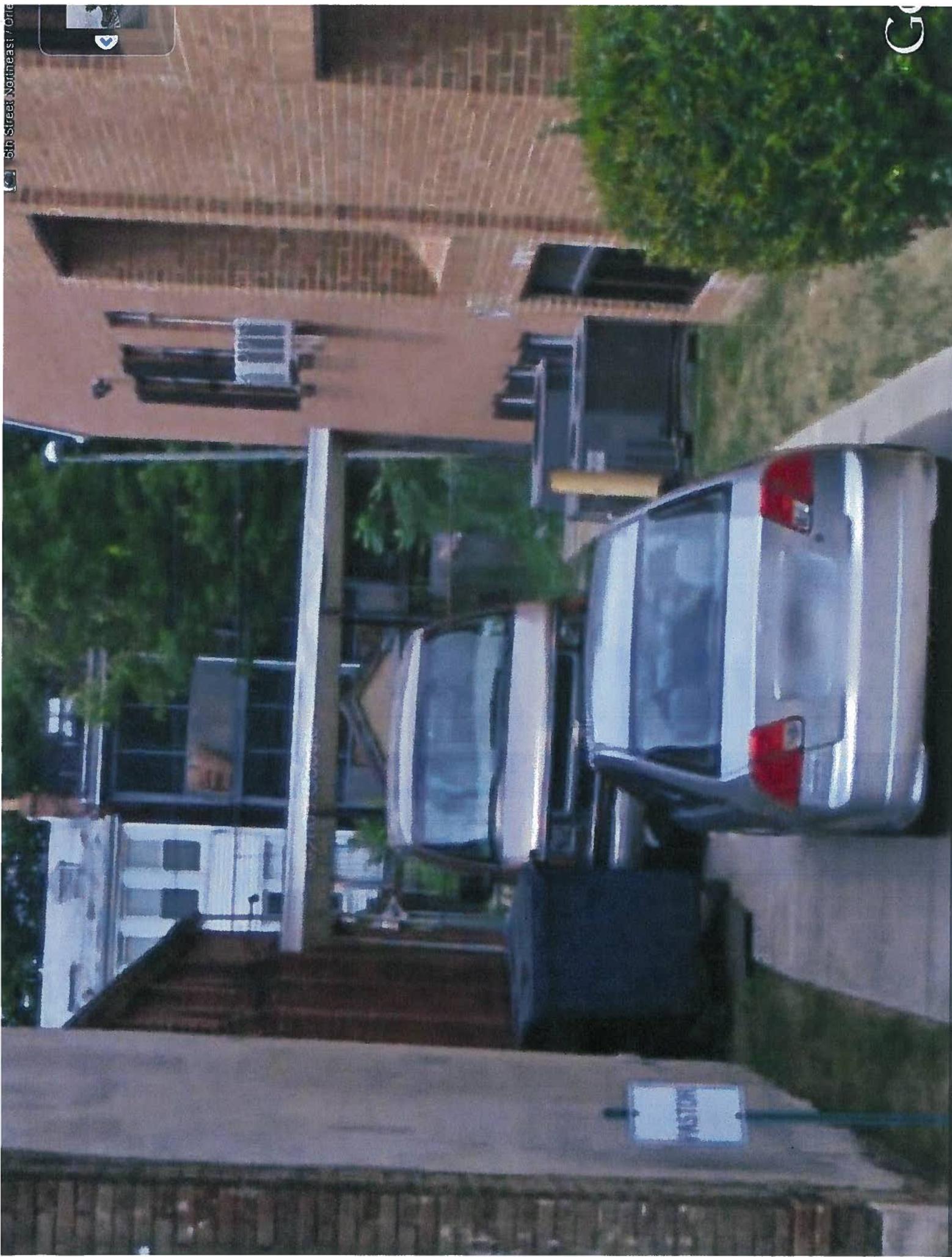


Matthew Le Grant
Zoning Administrator

Enclosures







PARKING

