

	<p align="center">ADVISORY NEIGHBORHOOD COMMISSION 3C GOVERNMENT OF THE DISTRICT OF COLUMBIA <i>CATHEDRAL HEIGHTS • CLEVELAND PARK • MASSACHUSETTS AVE. HEIGHTS MCLEAN GARDENS • WOODLEY PARK</i></p>
<p>Single Member District Commissioners 01-Lee Brian Reba; 02- Gloria Day; 03-Stephanie Zobay 04-vacant; 05-Bruce Beckner; 06-Trudy Reeves 07- Richard Rothblum; 08-Catherine May; 09-Nancy MacWood</p>	<p align="right">4025 Brandywine Street, NW Washington, DC 20016-1843 P: (202) 657-5725 F: (515) 474-8595 Website http://www.anc3c.org</p>

ANC3C RESOLUTION NO. 2008-025

**Resolution Regarding the McLean Bible Church's appeal of the
Zoning Administrator's decision that a church cannot locate
in the Uptown Theatre pursuant to zoning restrictions**

WHEREAS the McLean Bible Church of Fairfax County, Virginia (“MBC”) has concluded a sublease of the Uptown Theatre, 3426 Connecticut Avenue, NW to conduct religious services every Sunday for the coming year;

WHEREAS the Uptown Theatre is within the boundaries of this ANC, the Cleveland Park Historic District and the Cleveland Park Neighborhood Commercial Overlay District (“CPNCOD”);

WHEREAS on October 15, 2007 the Zoning Administrator has issued a ruling that the use of the Uptown Theater for religious observances is not a use that is permitted as a matter of right in the CPNCOD;

WHEREAS MBC has exercised its right to appeal the Zoning Administrator’s decision to the Board of Zoning Adjustment (“BZA”);

WHEREAS MBC’s appeal (Case No. 17767) is going to be heard by the BZA on May 20, 2008;

WHEREAS a reversal of the Zoning Administrator’s decision will make it possible for the Uptown Theater to be used for religious services rather than motion picture exhibition seven days a week;

WHEREAS MBC - or any other religious institution - is free to use a building almost anywhere in the District of Columbia, outside of the CPNCOD, for religious services as a matter of right;

WHEREAS this ANC finds that zoning regulations establishing the CPNCOD do not permit a church use on the ground level of a building within the CPNCOD as a matter of right, such as is proposed for the Uptown Theater by MBC;

WHEREAS this ANC finds that the conduct of religious services is not an accessory use to a motion picture theater, but is a separate use and therefore requires a separate certificate of occupancy; and

WHEREAS this ANC has an interest in seeing that zoning regulations are enforced to preserve the CPNCOD

NOW THEREFORE BE IT RESOLVED that ANC3C supports the Zoning Administrator's ruling that the Uptown Theater cannot be used for religious services as a matter of right;

BE IT RESOLVED that ANC3C desires to exercise its right to participate in MBC's appeal of the Zoning Administrator's decision by appearing in that appeal in support of the Zoning Administrator's ruling;

BE IT FURTHER RESOLVED that ANC3C authorizes Commissioner Beckner, the Chair or their delegates to represent the Commission in this matter before the BZA and elsewhere.

Attested by



Nancy J. MacWood

Chair, on April 30, 2008

This resolution was approved by a vote of 6-0 on April 21, 2008 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.