

Before the Board of Zoning Adjustment, D. C.

Application No. 11428, of Dunbarton College for a special exception as provided by Section 8207.2 of the Zoning Regulations to establish a private high school pursuant to Section 3101.42 of the Regulations in a R-2 District at 2955 Upton Street, N.W., Lot 30, Square 2243.

HEARING DATE: July 18, 1973

EXECUTIVE SESSION: August 29, 1973

FINDINGS OF FACT:

1. The subject property is located in an R-2 Zoning District.

2. The subject premises has never been used for residential purposes. It has always been used for school use or other institutional use.

3. From 1926 until 1951, the property was used as the Devitt School. The Devitt School had at one time a maximum of 250 students and also had evening classes.

4. In B.Z.A. Appeal No. 9200, this Board approved the use of the subject premises as a Science School for Dunbarton College. The Science School has an enrollment of approximately 162 students, with hours of operation from 8 a.m. to 5 p.m.

5. This application is made on behalf of Edmund Burke School, contract purchaser, to establish grades 9-12 with a maximum enrollment of 120 students. There will be eight teachers, two administrators and one secretary. The Edmund Burke School is presently located at 2126 Wyoming Avenue, N.W., where it has approximately 70 students. Upon the grant of this case and the establishment of the Edmund Burke School at 2955 Upton Street, N.W., the School will vacate the premises at 2126 Wyoming Avenue, N.W.

6. The average size of the classes will be 13 students per teacher. The co-director of the School indicated in his testimony that the students would be closely supervised and have individualized curriculum. The School is non-denominational and is devoted to preparing students in the 9-12 grades for higher learning education.

The students that have attended Edmund Burke School have been successful in obtaining acceptance at leading colleges in the Nation and have maintained a high performance level.

7. Under the Zoning Regulations, applicant is required to have nine parking spaces. Eleven parking spaces will be provided at the rear of the School with access from the public alley at the rear.

As indicated by a recent survey of the students at the School, the vast majority come either by transportation, by walking or by vehicular transportation through parents or friends. The subject location is only 50-75 yards removed from Connecticut Avenue, a major arterial in the District of Columbia. Additionally, the School is in close proximity to the Van Ness Metro Station, which will provide an added means of public transportation for the school.

8. The co-director testified that it was his estimate that the maximum number of vehicular trips per day would be 11-12 trips in and out for faculty and students plus approximately 20 vehicular trips out of a maximum enrollment of 120, which would actually bring the students to the School door.

9. At the public hearing, Mr. James Howard Malloy, resident of 2945 Upton Street, N.W., objected to the notice provided by the Board. Counsel for Edmund Burke School has indicated the Mr. Malloy has withdrawn any objection to the School in a telephone conversation to him of July 19, 1973.

CONCLUSIONS OF LAW:

The Board is of the opinion that the proposed use is in keeping with the past use history of the building and will have no adverse affect upon the neighboring or adjoining properties by reason of noise, traffic, number of students or any other conditions. The building has historically been used for school purposes or other institutional uses. We are further of the opinion that the use is in harmony with the intent and purpose of the Regulations and will not adversely affect any properties within the meaning of the Zoning Regulations.

ORDERED:

THAT THE REQUEST FOR A SPECIAL EXCEPTION BE GRANTED.

VOTE: 4-0, LILLA BURT CUMMINGS, ESQUIRE NOT VOTING.

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

ATTESTED BY:



JAMES E. MILLER

Secretary of the Board

FINAL DATE OF THE ORDER: **SEP 6 1973**

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.