

Before the Board of Zoning Adjustment, D. C.

Application No. 11800 of Harold E. King, pursuant to Section 8207.2 and 8207.1 of the Zoning Regulations for permission to establish a Day Care Center in the R-2 zone as provided by Section 3101.41 of the Regulations and a waiver of 2 required parking spaces as provided by Section 8207.11, at the premises 4000 and 4002 D Street, S. E., lot 45 and 46, Square 5401.

FINDINGS OF FACT:

1. The applicant proposes to use the subject property as a Day Care Center in the R-2 zone which permits such use as a special exception if approved by the Board of Zoning Regulations.

2. The applicant proposes to operate a Day Care Center consisting of sixteen (16) children, and two (2) staff members.

3. The proposed use would be located and contained within the first floor of a 3 story, 12 unit apartment building.

4. The applicant proposes to use two of the apartment units on the first floor of the apartment building for the Day Care Center in question.

5. The applicant proposes to operate the pre-school in question five (5) days per week; from 7 a.m. in the morning until 6 p.m. in the evening.

6. The Board finds that the applicant is able to provide 100 square feet of play space for each child in attendance at the Day Care Center.

7. No opposition was registered at public hearing which would indicate to the Board that the proposed use would be objectionable by reason of noise, traffic, or number of students.

CONCLUSIONS OF LAW:

Based upon the above findings of fact and the record, the Board concludes that the applicant has complied with the specific requirements of Section 3104.41 of the Regulations. The Board is also of the opinion that the proposed use, without the requirement of two parking spaces, if granted, would not be detrimental to the public good, adversely affect the use of nearby or adjoining property, or impair the meaning and intent of the Zoning Regulations.

ORDERED: That the above application be GRANTED.

VOTE: 3-0 (Mr. Harps did not hear the case, Lilla Burt Cummings, Esq. abstaining, and Mr. Klauber voting, having read the record of the proceedings.)

HEARING DATE: November 26, 1974  
DECISION DATE: January 17, 1975

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

ATTESTED BY: *James E. Miller*  
JAMES E. MILLER,  
Secretary to the Board

FINAL DATE OF ORDER: **JAN 17 1975**

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.