

Before the Board of Zoning Adjustment, D. C.

Application No. 11959, of Northminster Presbyterian Church, pursuant to Section 8207.2 of the Zoning Regulations, for a special exception to continue a nursery school, as provided by Section 3101.41 of the Regulations, at the premises 7720 Alaska Avenue, N. W., in the R-1-B Zone, known as Lots 33, 800, 801, Square 2958.

HEARING DATE: July 16, 1975

DECISION DATE: August 6, 1975

FINDINGS OF FACT:

1. Applicant proposes to continue the operation of a cooperative nursery school by the Spring Knolls Cooperative Nursery School, a non-profit D. C. Corporation, on the first floor of the Christian Education Building, and in the outdoor play area on the subject premises.

2. The nursery school proposes to admit a maximum of thirty-five (35) students, ages three (3) to four (4) years, Monday through Friday, during the hours of 9:15 a.m. to 11:45 a.m.

3. The children arrive at the nursery school by car pools and require no buses. Loading and unloading is accomplished in the alley at the rear of the subject property.

4. The nursery school has already operated on the site for one (1) year pursuant to BZA Order No. 11647. The applicant contacted sixty (60) property owners within the immediate vicinity of the premises to request written remarks relating to the existence of the school. Only one (1) response was received and it noted objection to use of the Zoning Regulations to change the character of the neighborhood from residential to commercial. There is no other opposition of record.

5. During the previous school year there were twenty-eight (28) students enrolled with twenty-one (21) of those residing within a ten block radius of the church. The school is convenient to the neighborhood which it serves and the enrollment is primarily limited to children residing in that area.

6. The subject property provides more than the required 100 square feet of play area for each child with 2,100 square feet of outdoor play space and 1,424 square feet of indoor play space.

7. The school utilizes a staff of two (2) paid teachers and four (4) parent aides. There are ten (10) parking spaces allocated for use in the church's parking lot and an additional ten (10) spaces available at Gino's and the Roy Rogers' Restaurant.

8. The school has no articles of commerce for sale.

CONCLUSIONS OF LAW:

Based upon the above findings of fact and the evidence of record, the Board is of the opinion that the operation of the nursery school is so located that it is not likely to generate objectionable noise, traffic or other adverse conditions. There is adequate parking provided for the staff and no buses are required to transport the students. There is sufficient indoor and outdoor play space for the limited number of students so as not to adversely affect nearby property. The majority of students reside within a ten (10) block area of the school making it reasonably convenient to the neighborhood. The Spring Knolls Cooperative Nursery School will continue to give priority to children in the neighborhood as vacancies occur. With an approximate total play space of 3,524 square feet there is sufficient area for a proposed student population of 35. The Board concludes that the special exception is in harmony with the general purpose and intent of the Zoning Regulations and will not tend to adversely affect the use of neighboring property.

ORDERED:

It is hereby ordered that the application be GRANTED for a ONE (1) YEAR PERIOD after which applicant can re-apply to the Board pursuant to the Zoning Regulations for a renewal.

VOTE: 4-0 (Lilla B. Cummings, Esq., not voting after not having heard the case).

ATTESTED By:



JAMES E. MILLER
Secretary to the Board

FINAL DATE OF ORDER:

8/19/75

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.

lmb - 8/21/75