

Before the Board of Zoning Adjustment, D. C.

Application No. 11974, of the Trustees of St. Peter's Evangelical Lutheran Church, pursuant to Sections 8207.2 and 8207.1 of the Zoning Regulations, for a special exception to permit an increased number of students and teachers for a private school permitted by BZA Order No. 11225 as provided by Section 3101.42 of the regulations and variances from Sections 3101.42 (b) and 7202.1 of the regulations for a waiver of one (1) required parking space, as provided by Section 8207.11 of the regulations, in the R-1-B Zone, to permit a primary and junior Montessori School composed of 130 students, and 8 teachers, at the premises 1725 Michigan Avenue, N. E., Parcel 158/89, Square 4187.

HEARING DATE: August 20, 1975

DECISION DATE: September 5, 1975

FINDINGS OF FACT:

1. Applicant proposes to increase the student enrollment and number of teachers at the existing Montessori school located in the R-1-B Zone.

2. Applicant was granted a variance from two (2) required off-street parking spaces and a special exception in BZA Case No 11255 to establish the now existing Montessori school operated by New City Montessori School, Inc .

3. Applicant proposes to increase enrollment from 80 to 130 students consisting of 70 pre-school students and 60 elementary students. The increased enrollment also requires the addition of two (2) teachers for a total of eight (8).

4. The proposed expansion is based upon applicant's waiting list of students seeking to be enrolled.

5. Approximately one-third (1/3) of the students currently enrolled are delivered by a bus under contract to the school and the balance of students are delivered by automobile or arrive on foot.

6. There is ample play area of not less than one hundred (100) square feet available for each pre-school student on the subject property as the church owns most of the square.

7. The subject property is surrounded by a primarily single family residential neighborhood and approximately 20% of the students currently enrolled live within a ten (10) block radius of the school.

8. The proposed increase of student enrollment is not anticipated to draw any number of students from the immediate neighborhood consisting of the ten (10) block radius although applicant stated priority would be given such students.

9. There is no off-street parking available on the church premises.

10. There will be no articles of commerce for sale on the subject property.

11. There have been no complaints from the neighboring property owners regarding the existing school and there is no opposition of record to the subject application.

CONCLUSIONS OF LAW:

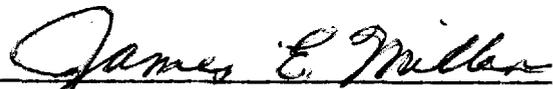
Based upon the above Findings of Fact and the evidence of record the Board finds that while the proposed increased number of students and teachers is not likely to become objectionable to neighboring property because of noise, traffic or number of students, The use will not be reasonably necessary and convenient to the neighborhood. The additional students are not anticipated to be from the immediate area of a ten (10) block radius but will be drawn principally from other areas of Washington and from Maryland. The Board therefore is of the opinion pursuant to Section 8207.2 of the Zoning Regulations that the special exception is not in harmony with the general purpose of the Zoning Regulations by not being reasonably necessary and convenient to the neighborhood, there would be an adverse affect on neighboring property.

ORDER:                   It is hereby ordered that the above  
application be DENIED.

VOTE :                   3-0 (Mr. Scrivener and Lilla Burt Cummings,  
Esq. not voting, not having heard  
the case.)

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

ATTESTED By:

  
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JAMES E. MILLER  
Secretary to the Board

FINAL DATE OF ORDER:

*November 26, 1975*