

BEFORE THE BOARD OF ZONING ADJUSTMENT, D.C.

Application No. 12217 of the Episcopal Diocese of Washington, D.C., pursuant to Section 8207.2 of the Zoning Regulations for a special exception under Sub-section 3101.42 and for a parking variance pursuant to Section 8207.11 to permit the establishment of an elementary school at 1340 Massachusetts Avenue, S.E., Lot 11, Square S. 1036 in the R-4 District (ANC No. 6b).

HEARING DATE: September 21, 1976

DECISION DATE: March 8, 1977

FINDINGS OF FACT:

1. The property is located in the R-4 District.
2. Applicant proposes to operate the Capitol Hill Montessori School in ground floor area of the parish hall of St. Monica's Episcopal Church at 1340 Massachusetts Avenue, N.W.
3. The school's enrollment will be no more than thirty-five elementary students and will have a staff of two teachers and one aide.
4. The student body will arrive over a 45 minute period and depart over a 30 minute period during school hours which are from 9:00 A.M. to 3:00 P.M. Approximately 13 automobiles will be used in transporting students to and from school.
5. Neither of the two teachers currently employed use an automobile for transport.
6. The property was issued a Certificate of Occupancy for the operation of a nursery school in 1960. No complaints concerning this operation were received from the neighborhood.
7. The majority of the students are from the adjacent neighborhood and approximately 1800 square feet of property is available for recreation purposes.
8. There are no parking spaces provided on the property. There is a dead end driveway with turn-around area available and street parking in the immediate neighborhood.

9. The application was supported by the Capitol Hill Restoration Society and ANC No. 6B. The D.C. Municipal Planning Office recommended approval. There was no opposition to the application.

CONCLUSIONS OF LAW AND OPINION

Applicant seeks a special exception to operate an elementary school which requires a showing that it will not be objectionable to adjacent property owners due to noise, traffic or number of students. The Board is of the opinion that applicant has made the required showing and, further, that granting the application would be in harmony with the zoning regulations and will not have an adverse impact upon neighboring properties. Applicant is also required to provide a minimum of two parking spaces. While the required parking spaces are not present, thus necessitating a variance from the requirement, the Board is of the opinion that existing neighborhood parking is adequate and that requiring the provision of parking would create a practical difficulty justifying the grant of a variance. It is therefore ORDERED that the application for a special exception to operate an elementary school is hereby GRANTED for a period of three (3) years upon condition that no more than thirty-five (35) students be enrolled; FURTHER ORDERED that the application for a parking variance is hereby GRANTED.

VOTE: 3-0 (Ruby B. McZier, Esq., William F. McIntosh, Leonard L. McCants, Esq.; Lilla B. Cummings, Esq. not voting not having heard the case.)

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

ATTESTED BY:



ARTHUR B. HATTON
Secretary to the Board

FINAL DATE OF ORDER: 5-27-77

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

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FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS
ORDER.