

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12352 of William Parr, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3104.47 to establish a social service center to be run by Special Approaches in Juvenile Assistance (SAJA) in the R-5-B District at the premises 1743 - 18th Street, N.W., (Square 153, Lot 121).

HEARING DATES: May 24, 1977, and June 15, 1977
DECISION DATE: July 12, 1977

FINDINGS OF FACT:

1. The subject property is located at the northeast corner of 18th Street and Riggs Place, N.W., and has an area of 1,256 square feet. The property is improved with a large three story plus basement structure.
2. The subject property is currently being used by Special Approaches in Juvenile Assistance (SAJA). The first, second and third floors are used for the Runaway House program, designed to provide temporary shelter, individual and group counseling, medical, legal and psychiatric referrals, court liaison work and family counseling for persons between the ages of 13 and 18 years old who need short term or immediate assistance in solving personal problems. The basement is used as office space for SAJA's Foster Care Placement Program and for the Resource Center, which serves as an administrative office. The property has been used by SAJA for approximately eight years.
3. SAJA was formed in 1968, and incorporated in 1969 as a non-profit organization, as an outgrowth of a church sponsored program in the Dupont Circle area offering crisis counseling, referral services and temporary shelter for youths who had run away from their families or were otherwise having family problems. The facility located at 1743 - 18th Street, the subject site, became known as Runaway House.

4. Since 1969, SAJA has expanded the range of services it provides to include a Family Counseling Service, which is a program run by professional counselors and paraprofessionals to provide family counseling and guidance, the Foster Care Program, which assists in foster home location, placement and supervision, and the Group Homes Program, which operates foster homes for up to six people.

5. The SAJA Resources Center, located in the basement of the subject site, coordinates the administrative, planning, fund raising, staff recruitment and training, and public relations functions of the organization.

6. People are referred to SAJA by the Courts, by various social service agencies of the District of Columbia, Maryland and Virginia and by private social service agencies. Approximately seventy-five per cent of the persons who have used the facilities at Runaway House have been from the District of Columbia, with the remainder from other parts of the metropolitan area and other areas.

7. SAJA was originally organized as a collective, without a strong central management capability and with no single person having overall responsibility for the direction of the organization or its programs. Recently in April of 1977, SAJA restructured its organization to create a Board of Directors, two co-executive directors, plus various other organizational positions. This reorganization has established a clear sense of responsibility, and even during the limited time that it has been in effect, it has shown that SAJA can function in a residential community without being detrimental to that community.

8. The facilities at 1743 - 18th Street include offices in the basement, a kitchen, dining room and living rooms on the first floor and sleeping rooms on the second and third floors. The Runaway House will house a maximum of twelve youths at one time. A paid staff of seven persons, plus a volunteer staff of from eight to fifteen persons, supervises the Runaway House. Adult supervision is provided at all times, though no single staff person resides full time on the premises.

9. Adjacent to the site on the south on 18th Street is a three story structure used as a multi-family dwelling. Adjacent to the site on the east on Riggs Place is a single-family row dwelling. Across 18th Street to the west are two-four-story apartment buildings and three row dwellings. The immediate area surrounding the site is predominantly residential in use and character, including a mixture of single-family and multiple dwellings, and a mixture of high-rise, and mid-rise and low-rise structures.

10. The Dupont Circle and Addams Morgan areas already have a relatively large number of social service centers and halfway houses operated by a variety of public and private organizations. The Zoning Regulations do not prohibit the Board from granting approval to another such use because a concentration of similar facilities exists. In fact, the Regulations require that each application be judged on its merits according to the criteria specified in Paragraph 3104.47 and on the overall criteria specified in Sub-section 8207.2 of whether a proposed use "will be in harmony with the general purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of neighboring property..."

11. There are no structural changes proposed to be made to the premises.

12. There is no sign or other indication identifying the nature of the use at 1743 - 18th Street, N.W.

13. There is evidence in the record to indicate that in the past, noise, from radios and other activities in the house, from people gathered outside the house, and from vehicles arriving at and departing from the house, was a problem at the subject premises. There is also evidence to indicate that a large number of police radio complaint calls were made to the subject premises. There is also evidence in the record that the noise problems and other objectionable conditions have been significantly lessened since the adoption of the SAJA reorganization in the recent past. There have been few listed police radio complaints in the last several months.

14. SAJA has had discussions with residents of the area around the Runaway House, including Advisory Neighborhood Commission 2B. The ANC and SAJA have signed a "Memorandum of Agreement and Understanding," dated May 18, 1977, which creates a liaison person between SAJA and the community. The memorandum establishes a process and relationship which will insure that SAJA will not become unduly objectionable to the neighboring properties because of noise or other conditions.

15. As a result of the memorandum, ANC 2B, by testimony presented at the hearing and by letter dated May 19, 1977, recommended that the application be approved for a period of one (1) year.

16. The Municipal Planning Office, by report dated June 10, 1977, and by testimony presented at the hearing, recommended that the application be approved for a period of three (3) years, stating in part, "The establishment of a social service center at this location will not be unduly objectionable to neighboring properties."

17. The Dupont Circle Citizens Association opposed the application, on the grounds that the general area is already over-burdened with a high concentration of halfway houses and social service centers, and that the subject facility has been objectionable in the past and would continue to be objectionable in the future.

18. The North Dupont Community Association, by testimony presented at the hearing, supported approval of the application for a period of one (1) year.

CONCLUSIONS OF LAW AND OPINION:

The Board has carefully weighed the arguments raised for and against the proposed social service center at 1743 - 18th Street, N.W., known as Runaway House. The Board concludes that the weight of the evidence, as set out in the findings of fact and the full record in this case, is such that the application should be granted. The Board gives great weight to the agreement between the applicant and the local ANC, which agreement will insure that the proposed facility will not become objectionable because of noise or other conditions.

The Board concludes that the fact that there is a large existing number of similar facilities in the general area is not sufficient to require that this application be denied. Each case must be evaluated on its own merits according to the Regulations, and the Board concludes that the great weight of the evidence is that this proposed use will not be objectionable.

The Board concludes that the fact that a number of people who use this facility are not from the District of Columbia is also not sufficient to require that this application be denied. The Zoning Regulations make no distinction as to the former or original place of residence of current and/or future residents or clients of the proposed social service center. This is no basis in law to support the distinction.

The Board concludes that the fact that there have been past problems with noise and other conditions is also not sufficient to require that this application be denied. The Board is of the opinion that the changes in administration, management and organization recently made by SAJA make it unlikely that such negative impacts will continue. The Board further concludes that the presence of the agreement with the ANC will insure that SAJA remains a positive part of the community rather than a possible negative influence on the community. In order to review that position, the Board concludes that the application should be GRANTED for a limited period of time.

Therefore in consideration of the above findings of fact and conclusions of law, it is hereby ORDERED that the application be GRANTED, subject to the following conditions:

- a. Approval shall be for a period of one (1) year
- b. SAJA shall comply with the conditions contained in the "Memorandum of Agreement and Understanding" marked in the record as Applicant Exhibit in Support No. Q, received June 15, 1977, a copy of which is attached hereto and is a part of this Order.

VOTE: 4-0 (Walter B. Lewis, William F. McIntosh, Leonard L. McCants and Charles R. Norris to GRANT, Chloethiel Woodard Smith not voting, not having heard the case).

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

ATTESTED BY:



STEVEN E. SHER
Executive Director

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FINAL DATE OF ORDER: 25 AUG 1977

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.