

Application No. 12357 of the Stigmatine Fathers, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.46 to permit the establishment of an institution of higher learning (National Open University) in the R-1-B District at 1326 Quincy Street, N.E. Square 3968, Lot 818.

HEARING DATE: March 9, 1977

DECISION DATE: April 6, 1977

FINDINGS OF FACT:

1. The property is located in the R-1-B District.
2. The National Open University proposes to use the subject property, an existing three story structure, as a "University Assessment Center (Degree Completion)".
3. The National Open University proposes to operate a counseling facility which will primarily counsel adults in obtaining an advanced degree. The counseling will basically consist of assessing the adults' current progress and recommending courses of instruction. The recommended courses are to be undertaken at other degree or credit granting institutions. The National Open University does not propose to offer any regular courses of instruction.
4. The National Open University does not grant or confer degrees and is not licensed to do so by the D. C. Board of Higher Education.
5. Counseling will be performed by a maximum of fifteen (15) faculty members who will reside on the third floor of the structure but who are employed elsewhere during the day. No students or those seeking counseling will reside in the structure.
6. The D.C. Municipal Planning Office by report dated March 15, 1977, by testimony provided at the hearing recommended approval of the application with conditions concerning adequate parking and a limit on the number of people utilizing the facility.
7. The previous Certificate of Occupancy No. B-2111 of August of 1956 was granted to the Stigmatine Fathers for a religious community with a maximum occupancy of fifteen (15) persons for all floors.

8. Aside from a one page "Proposed Use," the applicant has not submitted a campus development plan.

CONCLUSIONS OF LAW AND OPINION:

The applicant seeks a special exception which requires the applicant to show that it meets the statutory requirements and conditions for the grant of the exception. The applicant seeks an exception as a "college or university which is an academic institution of higher learning ..." The Board concludes that the applicant has failed to make the required threshold showing that the proposed use is a college or university within the intent of the Zoning Regulations. The applicant is proposing essentially a counseling service offering no courses of instruction and granting no degree. The applicant has also failed to submit a campus development plan of sufficient detail to permit the Board to ascertain whether the proposed facility would be objectionable to neighboring properties. It is therefore ORDERED that the application is hereby DENIED.

VOTE: 4-0 (Lilla Burt Cummings, Esq., William F. McIntosh and Leonard L. McCants to deny, Walter B. Lewis to deny by proxy).

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

ATTESTED BY: 

STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 24 AUG 1977