

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12402, of Georgia L., Donald D., Sherwood F. and David F. Webster, pursuant to Sub-section 8207.2 of the Zoning Regulations for a special exception (Paragraph 3101.46) to permit a variety of educational and recreational uses on an interim basis in the R-1-A District at the premises 7775 - 17th Street, N. W., (Lots 80 and 815, Square 2745-F).

HEARING DATE: April 26, 1977

DECISION DATE: June 7, 1977

FINDINGS OF FACT:

1. The subject property, consisting of 8.7 acres, is located in an R-1-A District and is known as 1645, 1635, 1631, 1627, 1623, 1619 and 1605 Jonquil Street, N. W., and 7775 - 17th Street, N. W.

2. The subject property is improved with seven buildings, parking spaces for 186 cars, two tennis courts and a large open field for other outside recreation activities. The buildings vary in size and are from two to four stories in height.

3. By BZA Order No. 12413, dated September 30, 1976 the Board approved a campus plan for the International School of Law on the subject property. The International School of Law has not occupied the property. Prior to that approval, the property was used as Marjorie Webster Junior College, pursuant to several BZA Orders.

4. Presently the owners have entered into a contract, signed September 13, 1976, with the Department of Commerce and the National Fire and Prevention Agency. The funds for the purchase of the subject property to be used as a Fire Academy were authorized by Congress in 1974. Congress has been asked to appropriate the funds, which appropriation is still pending.

5. The present expenses for the site, including mortgage payments, property taxes, utilities, payroll, security and maintenance is approximately \$150,000 annually. To help finance the carrying costs of the property, two houses on Jonquil Street, N. W. have been sold and a third sale is contemplated.

6. The applicant seeks permission from the BZA for interim use of the college property and facilities for educational and recreational purposes. The applicant requests the Board to approve the present uses, as hereinafter described, of the subject property.

7. The subject property is presently being used by four different parties without permission of the Board.

8. Howard University is renting, on a month to month basis, a dormitory for approximately 130 students, ten of whom park cars on the campus and the rest of whom are bussed to and from the dormitory. Howard University provides 24 hour security and adult supervision at all times. The owners seek permission to increase the number of resident students to 200.

9. Mankind Research Corporation, a non-profit educational oriented research group, is also renting space on a month to month basis. The number of students does not exceed ten. There is one instructor or guest lecturer; on occasion, up to fifteen or twenty people attend a lecture. The ten students usually use their cars for transportation.

10. The gymnasium is used for tennis lessons. The gymnasium is used approximately six times per week for three hours. in the morning from 7:00 A.M. to 10:00 A.M. and three hours in the evening, from 6:00 P.M. to 9:00 P.M. There are about twenty students, some of whom drive their cars and others who walk.

11. The swimming pool is used for scuba diving lessons. It is rented by Divers' World. Instruction is held twice a week for 1½ hours. No more than fifteen students are enrolled. The owners seek permission to expand the classes to five days a week.

12. Property owners in the immediate vicinity of the subject property opposed the application on the grounds that bus transportation to and from the campus generated problems of noise, congestion and physical damage to their properties; that the owners operated in bad faith by using the property without the Board's approval; that the dormitories and parking spaces are being used by groups of tourists not connected in any way with the educational purposes of a campus, and that the present activities resulted in parking off of the presently located parking area.

13. The Municipal Planning Office recommended approval of the application on the conditions that it be granted for a period of no more than one year and that the Board adopt those

restrictions considered appropriate to assure conformance with the previous BZA Order No. 12143.

CONCLUSIONS OF LAW AND OPINION:

Based upon the record and on the conditions hereinafter listed the Board concludes that the granting of permission for the present uses of the subject property will not adversely affect the use of neighboring property in accordance with the Zoning Regulations and Maps and will be in harmony with the general purpose and intent of the regulations and maps,, Accordingly is ORDERED that the application is GRANTED subject to the following conditions:

- a. The dormitory use is limited to 200 persons and shall be restricted to use by any college or university in the District of Columbia.
- b. The Mankind Research Corporation use, the tennis and scuba instruction uses are approved. The scuba diving class may conduct classes five days a week.
- c. The campus buildings shall not be used for dormitory uses by transient groups.
- d. Parking is limited to 186 spaces as presently located.

VOTE: 3-0 (William F. McIntosh, Charles R. Norris, and Leonard L. McCants to grant, Walter B. Lewis not voting, not having heard the case).

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

ATTESTED BY: 

STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 28 SEP 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 HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.