

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12809 of the Trustees of Saints Constantine and Helen Greek Community, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraphs 3101.41 and 3101.42 for permission to use all three floors of the subject premises as a pre-school and elementary school consisting of 200 students and ten staff members in the R-1-B District at the premises 4115 16th Street, N.W., (Square 2695, Lot 811).

HEARING DATE: November 22, 1978
DECISION DATE: November 22, 1978

FINDINGS OF FACT:

1. The subject lot is located on the southeast corner of Sixteenth and Upshur Streets, N.W. and is known as 4115 16th Street, N.W. It is in an R-1-B District.
2. The subject lot is improved with a Church and a school.
3. The subject school has been operating since 1961 as a kindergarten through sixth grade school but has no Certificate of Occupancy for such use.
4. The applicant now seeks permission from the Board to use all three floors of the subject school as a parochial day school, pre-school through sixth grade.
5. The school is the only Greek Orthodox School of its type in the metropolitan area and serves students from Washington, D.C., Maryland and Virginia.
6. The existing school has an enrollment of 109 students, kindergarten through sixth grade. The number of students has fluctuated, averaging 125 students per year. The applicant has indicated that a maximum enrollment of 150 students is anticipated. Of these 150 students, there may be twenty-five kindergarten students. There will be ten teachers.

7. The school operates approximately between 9:00 a.m. and 3:00 p.m.

8. There is sufficient playspace on the subject lot located between the school and the church building. This space is enclosed with a fence on the easterly side and is used for play purpose. The Zoning Regulations require 100 square feet of play space for each kindergarten or pre-school child, so that 2,500 square feet will be required for the proposed twenty-five students. The available outside play space exceeds that requirement and is approximately 10,000 square feet in area.

9. The Zoning Regulations require one parking space for each three teachers. Three spaces will be required for the ten teachers. The existing parking lot has ample parking facilities to meet this requirement. The parking lot can accommodate in excess of fifty cars.

10. The subject property is located on a major arterial street and is easily accessible by car and buses.

11. The students are confined to the enclosed courtyard area during play time.

12. The proposed school has existed in the subject premises since 1961. No complaints have been received from adjoining and nearby property owners.

13. The Municipal Planning Office, by report dated November 20, 1978 recommended that the application be approved on the grounds that the school is necessary and that it will have no adverse impact on the neighborhood. The Board so finds.

14. Advisory Neighborhood Commission 4C filed no recommendation on the application.

15. There was no opposition to the application.

CONCLUSIONS OF LAW:

Based on the findings of fact the Board concludes that the applicant has substantially met the requirements of Paragraphs 3101.41 and 3101.42 of the Zoning Regulations as to a private school serving a pre-school group and other private schools. There is ample play area, parking space and the school uses are not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of sut students, or otherwise objectionable conditions. The Board further concludes that the special exception can be granted as in harmony with the general intent and purpose of the Zoning Regulations and maps and that it will not affect adversely the use of neighboring property in accordance with said Zoning Regulations and maps. Accordingly, it is ORDERED that the application is GRANTED SUBJECT to the following CONDITIONS:

1. There shall be a maximum of 150 students.
2. Approval is granted only to this applicant, the Trustees of Saints Constantine and Helen Greek Community.

VOTE: 5-0 (William F. McIntosh, Walter B. Lewis, Chloethiel Woodard Smith, Charles R. Norris and Leonard L. McCants).

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

ATTESTED BY: Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 19 JAN 1979

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.