

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12912, of the Archdiocese of Washington, St. Paul and Augustine Church, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.42 to use the second floor of the subject premises as a private school, special education, for twenty-five children and five teachers in an R-5-B District at the premises 1419 V Street, N.W. (Square 203, Lot 93).

HEARING DATE: April 11, 1979
DECISION DATE: April 11, 1979 (Bench Decision)

FINDINGS OF FACT:

1. The site is located on the north side of V Street approximately 135 feet west of its intersection with 14th Street and is known as 1419 V Street, N.W. It is in an R-5-B District.
2. The site is developed with a large two story red brick building having stained glass windows.
3. To the north of the subject property across a twenty foot wide alley there are apartment buildings in the R-5-B District. To the east abutting the site there is an asphalt paved playground followed by commercial establishments in the C-M-2 District. To the south across V Street there is a vacant lot and an apartment building in the R-5-B District. To the west are the St. Paul and Augustine Academy building and Catholic Church in the R-5-B District.
4. The applicant testified that the school was in operation since November 1971 at two other sites. It moved to the present site in September, 1978 when it's former facility was needed for the church's elementary school. When advised that it was operating without a certificate of occupancy, it filed the subject application.
5. During 1978, a Head Start day care center was operated on the first floor of the subject premises.

6. The applicant is seeking a special exception to use the second floor of the subject premises for a special education program for children eight to fourteen years of age. The name of the program is FLOC (For Love of Children).

7. The first floor of the premises is used by the St. Paul and Augustine Kindergarten classes.

8. The program will be operated by For Love of Children (FLOC), a non-profit organization and will consist of approximately twenty-five children and a staff of five full time instructors.

9. The school enrolls children with emotional and learning problems. The school is designed for small class groups of six to ten students. The second floor is comprised of four medium size rooms for office and classroom activities, and three small rooms for individual instruction and parent conferences. The total floor space is approximately 2,180 square feet.

10. There is an outdoor recreational area, approximately 8,500 square feet in size, immediately to the east of the building. The applicant has testified that there is a gymnasium available in the school building next door at 1421 V Street, N.W.

11. Off-street parking is provided for teachers in the church parking lot on the corner of 15th and V Streets, which consists of approximately forty spaces.

12. The children will attend the center between the hours of 9:00 a.m. and 2:45 p.m.

13. The majority of the children reach the school by public transportation and all of the children live in the city. The students are referred to the subject school by the Board of Education and the Department of Human Resources.

14. Reverend Raymond B. Kemp, the Pastor of Saint Paul and Augustine Parish is in support of the proposed Learning Center on the church's property.

15. The Office of Planning and Development, by memorandum dated April 5, 1979, recommended that this special exception be approved on the grounds that the school is not likely to become objectionable to adjoining and nearby property because of noise, traffic, or number of students and will be in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board so finds.

16. Advisory Neighborhood Commission - 1B was notified of the application but made no recommendation on the application.

17. There was no opposition to the application.

CONCLUSIONS OF LAW:

Based on the findings of fact, the Board concludes that the applicant has substantially complied with the requirements of Paragraph 3101.42 of the Zoning Regulations in that the private school in the past has not and in the future is not likely to become objectionable to adjoining and nearby properties because of noise, traffic number of students, or other objectionable conditions. Ample parking space is provided in the church parking lot to accommodate the teachers and visitors likely to come to the site by automobile.

The Board further concludes that the relief sought is in harmony with the general purpose and intent of the Zoning Regulations and maps and will not tend to affect adversely the use of neighboring properties. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 4-0(Theodore Mariani, Charles R. Norris, Chloethiel Woodard Smith, William F. McIntosh to GRANT; Leonard L. McCants not present, not voting).

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: 18 JUN 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.