

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13138 of First Church of Christ Holiness, pursuant to Subsection 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.31 to use the basement and first floor of the subject premises as a pre-school consisting of forty children in an R-1-B District at the premises 1219 Hamlin Street, N.E., (Square 3934, Lots 829,830 and 831).

HEARING DATE: January 23, 1980

DECISION DATE: January 23, 1980 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the south side of Hamlin Street, between 12th Street to the west and 13th Street to the east, in an R-1-B Zone District at premises known as 1219 Hamlin Street, N.E.
2. The subject site is approximately 24,750 square feet in area. It has a 100 foot frontage on Hamlin Street, with a depth of 165 feet.
3. Of the 24,750 square feet on the site, the First Church of Christ Holiness building occupies approximately 2,785 square feet. The applicant also provides on the lot spaces for approximately twenty automobiles, which covers approximately 5,794 square feet of the lot.
4. The only other structure on the property is a two story home, which occupies approximately 1,225 feet. This leaves approximately 14,946 square feet of open space available as play space for recreation. This more than satisfies the requirements of sub-paragraph 3101.41(d), of one hundred square feet of play area for each child.
5. The property is presently used as a pre-school for thirty children pursuant to this Board's Order No. 8510, dated February 10, 1966.

6. Although the Board's previous order limited the number of students to thirty, the applicant testified that subsequent Department of Human Resources permits allowed for a maximum enrollment of forty students. The Church felt that in view of this, no violations of this Board's approval has been made.

7. There will be no articles of commerce for sale on the premises.

8. The applicant testified that they have in the past, and shall continue to primarily serve neighborhood children. The proposed hours of operations are from 7:00 a.m. to 6:00 p.m., Monday through Friday.

9. Councilmember William R. Spaulding, by letter dated January 11, 1980, offered support of the application on the grounds that the facility has been a great asset to the community during the past thirteen years.

10. The Office of Planning and Development, by report dated January 16, 1980, and testimony given at the time of public hearing supported the application on the grounds that the school more than adequately meets the dimensional requirements of the Zoning Regulations in terms of parking and play area, that the existing facility is capable of facilitating an increase of ten children without overcrowding or creating undesirable environmental impacts, and that the school is reasonably necessary and convenient to the neighborhood. The Board so finds.

11. There was no report from Advisory Neighborhood Commission 5C on this application.

12. There was no opposition to the granting of this application.

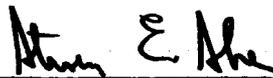
CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing Findings of Fact and the evidence of record, the Board is of the opinion that the applicant has substantially complied with the requirements of Paragraph 3101.41. The Board concludes that the requested special exception 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 property in accordance with said Zoning Regulations and Map. Accordingly, it is hereby ORDERED that this application is hereby GRANTED subject to the following CONDITIONS:

- a. Approval of this application shall be limited to a school to be operated by the First Church of Christ Holiness only.
- b. There shall be a maximum of forty students.
- c. The hours of operation shall be from 7:00 a.m. to 6:00 p.m.
- d. There shall be a maximum of four full-time and three support staff members.

VOTE: 4-0 (Theodore F. Mariani, Charles R. Norris, Connie Fortune and 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

FINAL DATE OF ORDER: 24 MAR 1980

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLES WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.