

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13211, of Dupont Park Seventh Day Adventist Church, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.41 to use the subject detached dwelling as a pre-school consisting of fifty students and two teachers in an R-2 District at the premises 3960 Alabama Avenue, S.E., (Square 5517, Parcel 201/129).

HEARING DATES: April 16 and June 11, 1980
DECISION DATES: July 2 and September 3, 1980

FINDINGS OF FACT:

1. The property was originally scheduled for public hearing on April 16, 1980. At that time, the Board determined that the property had not been properly posted with the notice of the hearing. The Board therefore continued the hearing until June 11, 1980.
2. The subject property is located in an R-2 District on the northwest side of Alabama Avenue between Pennsylvania and Alabama Avenues, S.E.
3. The subject lot contains approximately 48,210 square feet. It is improved with a two story plus basement brick structure formerly used as a single family dwelling. The structure contains approximately 3,000 square feet of floor area. There is also a two car garage located to the rear of the dwelling.
4. Immediately abutting the property to the southwest is a large property used by the applicant, Dupont Park Seventh Day Adventist Church. This property, known as 3942 Alabama Avenue, S.E. contains a school for grades K-6, with approximately 215 students.
5. Immediately abutting the property to the northeast are a group of semi-detached dwellings. These dwellings are significantly removed from the subject building, and are further separated therefrom by a public alley. Across Alabama Avenue are additional detached and semi-detached single family dwellings. Fort Davis Park abuts the subject property on the northwest.

6. The applicant proposes to relocate the kindergarten students presently housed on the main school property at 3942 Alabama Avenue to the subject site. The applicant proposes a maximum of fifty students, with two teachers.

7. The applicant will increase the enrollment of the school at 3442 Alabama Avenue in grades 1 through 6, to take advantage of the space vacated by the kindergarten.

8. The hours of operation will be from 8:30 A.M. to 3:00 P.M. Approximately one-third of the students will be brought to the school by bus, with the remaining two-thirds arriving by private automobile or other means.

9. For the two teachers proposed for the kindergarten, two parking spaces are required. The garage provides two spaces, and there is also space for at least two spaces on the lot.

10. The school is required to provide a minimum of 5,000 square feet of play area for fifty students. The lot has an area of over 48,000 square feet, of which less than 2,000 square feet is occupied by the house and garage.

11. No articles of commerce will be offered for sale on the premises.

12. The applicant Church is the only Seventh Day Adventist Church in the District of Columbia to operate a school. As such, it draws its students from throughout the District of Columbia and nearby portions of Maryland. Of the fifty-five students enrolled last year, twenty-five were from Southeast Washington or nearby Maryland.

13. Much of the area within a half-mile radius of the school is occupied by Fort Dupont and Fort Davis Parks. This further restricts the ability of the school to draw its students from an immediate local neighborhood.

14. The Office of Planning and Development, by memorandum dated March 27, 1980, recommended that the application be approved. The OPD reported that the application met the requirements of Paragraph 3101.41 regarding the establishment of a private kindergarten. The OPD noted that the location of the school, with parkland on one side, the existing school on another and streets and alleys on the remaining sides tends to minimize any potential impacts on adjoining and nearby properties. The Board agrees with the findings of the OPD.

15. There was no report from Advisory Neighborhood Commission - 7B.

16. There was no opposition to the application.

CONCLUSIONS OF LAW AND OPINION:

Based on the finds of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception. In order to be granted such an exception, the applicant must demonstrate that it has complied with the requirements of Paragraph 3101.41 and Sub-section 8207.2 of the Zoning Regulations. The Board concludes that the applicant has so complied. There is adequately play area and parking. There will be no articles of commerce for sale. The relatively isolated location of the building reduces the impact. The use of a bus to transport one-third of the students further reduces the impact of the school.

The Board further concludes that the special exception can be granted as 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 the said regulations and maps. It is therefore ordered that the application is GRANTED, subject to the following CONDITIONS:

1. Approval shall be for a period of TWO YEARS.
2. Approval shall be limited to a school to be operated by this applicant only.
3. The maximum enrollment of students shall be fifty.
4. The number of teachers shall be as required by the regulations of the D.C. Department of Human Services.

VOTE: 3-0 (Charles R. Norris, Connie Fortune and Leonard L. McCants to GRANT; William F. McIntosh 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: 30 SEP 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, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS AND INSPECTIONS.