

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13929 of Elizabeth Turpin, et al., pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.42 to use the first and second floors of the subject premises as a private school for training adults in phlebotomy for ten to fifteen students and one teacher in an R-1-B District at premises 1833 Monroe Street, N.E., (Square 4204, Lot 820).

HEARING DATE: March 9, 1983

DECISION DATE: April 6, 1983

FINDINGS OF FACT:

1. The application was advertised in the name of Elizabeth Turpin, et al. Ms. Turpin sold the property to Diane Crawford, the founder and director of the subject school at issue, who is hereinafter referred to as the applicant.
2. The subject property is located on the south side of Monroe Street between 18th and 20th Streets and is known as premises 1833 Monroe Street, N.E. It is located in an R-1-B District.
3. The subject property is improved with a two story plus basement, brick, single family detached dwelling. A one-car garage is located at the rear of the structure.
4. The surrounding area is characterized by low density single family residential development in the form of detached and semi-detached dwellings. With the exception of a small area of C-1 zoning on 18th Street, N.E., between Newton and Lawrence Streets, the predominant zoning of the area is R-1-B. The John Burroughs Elementary School is located on the north side of Monroe Street directly opposite the subject premises. The school and its playground span the blocks between 18th and 20th Streets.
5. The subject premises was formerly occupied by a physician who resided on the premises and maintained an accessory medical office use in the basement. The design of the unit is compatible with medical office use.
6. The applicant is seeking a special exception to use the first floor and the second floor as a school for

training adults in phlebotomy, the practice of drawing blood.

7. The premises will be leased to the National Phlebotomy Association. The Association was begun in 1978. It is the sole accrediting agency of phlebotomy curricula in the United States. Health-oriented institutions and organizations can purchase the phlebotomy course guidelines offered by the agency. The Association is a non-profit organization. The Association will manage the school and will also maintain its office headquarters at the subject premises.

8. Two full-time and two part time staffpersons of the National Phlebotomy Association will be employed for the school. The proposed director is a registered nurse. The additional proposed staff have credentials in medical technology, phlebotomy technology, and nursing. Physicians will provide part-time instruction. The prospective five to ten students will come from throughout the metropolitan Washington area. The prerequisites for acceptance into the school include a high school or college diploma or employment in the health field and a passing grade on the health occupation test administered by the Psychological Health Testing Institute. The curricula will be comprised of 192 hours of theoretical and clinical coursework. The training will be in venous anatomy, physiology, medical terminology, cardiopulmonary resuscitation, clinical laboratory computers and the ethics and legal aspects of phlebotomy. Classes at the subject premises will be on Monday through Thursday, 9:00 A.M. to 1:00 P.M. An evening class will be held on Friday, 6:00 P.M. to 10.00 P.M. After the theoretical coursework, the students will be assigned to a hospital for the practical application of phlebotomy. The use of needles and syringes will be introduced within the hospital environment. When the coursework is completed, the national certification exam is administered. Neither the National Phlebotomy Association nor the school will provide job placement.

9. The school's former location at 7610 Georgia Avenue no longer has adequate space. The subject site provides parking space for up to three vehicles. In addition to the one-car garage, there is a slate-covered area sufficient for parking additional cars. The subject site was chosen for relocation primarily because the prior use featured an accessory medical office and also because the site is near a university. The applicant further asserted that the purchase of the property was predicated on prior approval by area residents of the proposed use. A petition sheet, signed by fourteen of the twenty residents of the 1800 block of Monroe Street, was circulated by the previous owner of the property.

10. An accessory medical office at a site where the physician also resides on the premises is a permitted use in the R-1-B District. The previous use of the premises as a single family house with an accessory doctor's office does not justify, nor is it analogous to, a health related private school as a primary use with an accessory apartment for a caretaker.

11. The Office of Planning, by memorandum dated March 1, 1983, recommended denial of the application. The Office of Planning believed that the proposed use will be objectionable to adjoining and nearby property because of noise, traffic, number of students, etc. With an enrollment of up to fifteen students, an Association staff of four, and potential visitors, the daily level of activity at the subject site will be much higher than that which is normally associated with low density residential use and much higher than that of the surrounding area where the average household size is 3.1 persons per household. The Office of Planning noted that the potential traffic generated by the proposed use is also inconsistent with a residential neighborhood. First, the adult composition of the student body and staff increases the likelihood that private automobiles will be the primary mode of student transportation. Second, despite statements by the applicant that students will be advised and urged to use mass transit, the metropolitan area-wide geographic distribution of the student body and the limited mass transit service to this outlying site may necessitate automobile trips. Finally, since the applicant is providing only three on-site parking spaces, the minimum number required by the Zoning Regulations, if more than three individuals drive to the site, the surplus automobiles will have to be parked on surrounding residential streets. The Office of Planning noted that three off-street parking spaces is the required minimum number given the manner in which the application was advertised. That does not take into account the three remaining staff members of the Association. Should three spaces prove insufficient, the overflow of cars would wind up on surrounding residential streets. The use of the rear yard of the subject premises for parking subjects adjoining property owners to noise, visual, and other objectionable impacts if and when they use their backyards. The purpose of the R-1 District is to "... protect quiet residential areas ... developed with one-family detached dwellings ...". The non-residential use at the intensity proposed, is contrary to the statement of purpose. The Office of Planning believed that the proposed use is not harmonious or compatible with surrounding uses. Finally, it was the Office of Planning's opinion that the granting of this special exception would adversely impact a quiet, stable residential neighborhood. The Board concurs with the reasoning of the Office of Planning in regard to the objectionable potentials of locating a training school in an

R-1-B District, and concurs with the Office of Planning recommendation.

12. Advisory Neighborhood Commission 5A, by letter dated March 1, 1983, reported that the ANC opposed the subject application. At a public meeting on February 23, 1983, eight of the nine commissioners voted to oppose the application. The ANC reported that the premises is zoned R-1-B and the neighbors are overwhelmingly opposed to this application because the residents of the block where the concerned property is located wish to reserve their block for family residential uses. The residents and ANC 5A did not wish to encourage or see an established business/instructional institution on a residential block which would break the rhythm of family living in the area.

13. The Board is required by statute to give great weight to the issues and concern of the ANC when such recommendation is reduced to writing. The Board finds that placement of the proposed school in the R-1-B District neighborhood would disrupt the residential atmosphere by exacerbating the parking problems and unreasonably multiplying pedestrian and vehicular traffic. The Board concurs in the ANC recommendation.

14. The Woodridge Civic Association, by letter dated March 4, 1983, opposed the subject application. The Association recommended that the R-1-B District be allowed to retain its residential neighborhoods without commercial intrusion. Several neighbors from the nearby area opposed the application at the public hearing. Approximately forty percent of the properties within the block of the subject premises have off-street parking. Parking restrictions exist along the north side of Monroe Street and the south side of Newton Street. The residents contended that on-street parking is already over-burdened by the parking needs of staff and visitors of the Burroughs School. The residents further asserted that the on-site parking proposed by the applicant is only accessible through an alley where area children often play. Also several neighbors contended that the land contour of the rear of the structure prohibits stacked parking. The land near the rear garage slopes toward the house.

15. Petition sheets with 150 signatures of the surrounding area residents in opposition were entered into the record. Two letters from other area residents and one letter from the principal of the adjoining elementary school were of record in opposition to the subject application on the grounds that the R-1-B residential neighborhood should be maintained and that the potential parking problems would adversely impact on the quality of residential life. The opposition emphasized that the subject area residents overwhelmingly revoked their prior support of the proposed

use when the full impact was considered. The Board concurs with the concerns of the Woodridge Civic Association and the subject area community. The Board finds that these concerns are also embodied in the Office of Planning report and recommendation, in which the Board concurred.

CONCLUSIONS OF LAW AND OPINION:

Based on the record, the Board concludes that the applicant is seeking a special exception, the granting of which requires proof through reliable and probative evidence of compliance with Paragraph 3101.42 of the Zoning Regulations. The Board concludes that the applicant has not made the required showing as to the special exception. The proposed use is an institution which will draw its students from the entire metropolitan area. The proposed coursework and training will likewise serve communities throughout the area. The potential accompanying noise, traffic and parking problems will serve to adversely affect the present character and future development of the residential area. The Board further concludes that the relief cannot be granted as in harmony with the general purpose and intent of the Zoning Regulations and would affect adversely the use of neighboring property.

The Board concludes that it has accorded to the ANC the "great weight" to which it is entitled by statute. Accordingly, it is ORDERED that the application is DENIED.

VOTE: 5-0 (Carrie Thornhill, Douglas J. Patton, William F. McIntosh, Maybelle T. Bennett and Charles R. Norris to DENY).

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

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

FINAL DATE OF ORDER: AUG - 8 1983

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."