

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14300, of the Maret School, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for a special exception under Paragraph 3101.42 to expand the existing private school by additions to the gymnasium and classroom building and for variances from the paving and striping requirements for an accessory parking lot (Sub-section 7206.3) and the landscaping provisions for an accessory parking lot (Paragraph 7206.91) in an R-1-B District at premises 3000 Cathedral Avenue, N.W., (Square 2113, Lot 843).

HEARING DATE: June 19, 1985

DECISION DATE: July 3, 1985

DISPOSITION: The Board GRANTED the application, WITH CONDITIONS, by a vote of 4-0 (Charles R. Norris, William F. McIntosh, Maybelle T. Bennett and Carrie L. Thornhill to grant; Douglas J. Patton not present, not voting). The Board APPROVED a MODIFICATION of PLANS by a vote of 4-0 (Charles R. Norris, Maybelle T. Bennett, William F. McIntosh and Carrie L. Thornhill to approve; Douglas J. Patton not present, not voting).

FINAL DATE OF ORDER: October 22, 1985

FINAL DATE OF ORDER (MODIFICATION OF PLANS): February 12, 1986

ORDER

The Board granted the application, by its Order dated October 22, 1985, subject to six conditions. By Order dated February 12, 1986, the Board granted a request for modification of the plans originally approved by the Board relating to the location and configuration of the gymnasium building.

By letter dated June 19, 1987, counsel for the applicant requested the Board to waive the provisions of Section 3335.3 of the Supplemental Rules of Practice and Procedure before the Board of Zoning Adjustment to accept a request for modification of plans more than six months after the final date of the Board's Order. The Board waived its Rules to accept the request.

The proposed modification of plans involves revisions to the parking lot and driveway and was requested in order to increase pedestrian and vehicular safety on the Maret

School's grounds. The modifications proposed consist of revisions to the parking lot configuration, repaving of an existing driveway for pedestrian and emergency/service vehicles only, the elimination of one parking space, and the installation of a satellite dish. No change in the layout of buildings is proposed. No additional variance relief is required.

Advisory Neighborhood Commission 3C submitted no comments on the proposed modification of plans. The other parties in opposition offered no objection to the revised parking lot configuration. The opposition did indicate some concern regarding possible T.V. and radio interference caused by the satellite dish. The Board notes that it currently has no jurisdiction over the location of satellite dishes and therefore, can not give consideration to that aspect of the proposed modification of plans.

The Board concludes that the proposed modifications are minor in nature. The applicant needs no further relief from the Board. The material facts the Board relied on in granting the application are unaffected by the proposed modified plans.

It is therefore ORDERED that the MODIFICATION of PLANS is APPROVED and that the plans marked as Exhibit No. 46A of the record are hereby approved and shall be substituted for those originally approved by the Board. In all other respects, the Order dated October 22, 1985, shall remain in full force and effect.

DECISION DATE: July 1, 1987

VOTE: 4-0 (Charles R. Norris and Carrie L. Thornhill to waive the Rules and approve; William F. McIntosh and Maybelle Bennett to waive the Rules and approve by proxy; Paula L. Jewell not voting, not having heard the case).

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

ATTESTED BY:

  
EDWARD L. CURRY  
Acting Executive Director

AUG 11 1987

FINAL DATE OF ORDER: \_\_\_\_\_

UNDER 11 DCMR 3101, "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 CONSUMER AND REGULATORY AFFAIRS.

order14300/DEE2

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14300 of the Maret School, as amended, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning regulations, for a special exception under Paragraph 3101.42 to expand the existing private school by additions to the gymnasium and classroom building in an R-1-B District at Premises 3000 Cathedral avenue, N.W., (Square 2113, Lot 843).

HEARING DATE: June 19, 1985  
DECISION DATE: July 3, 1985

FINDINGS OF FACT:

1. At the public hearing of June 19, 1985, counsel for the applicant requested that the subject application be amended to delete the original request for variance relief from the paving and striping requirements of Sub-section 7206.3 and the landscaping provisions of Paragraph 7206.91 for the accessory parking lot. By memorandum dated June 18, 1985, the Zoning Administrator confirmed that a review of the revised plans for the proposed addition disclosed that Board approval of a special exception pursuant to Paragraph 3101.42 is the only relief required. The Chairperson ruled that the application be so amended.

2. The subject site is located on the south side of Cathedral Avenue, one block west of Connecticut Avenue and is known as premises 3000 Cathedral Avenue, N.W. It is zoned R-1-B.

3. The subject site is irregularly shaped and contains approximately 344,399 square feet of lot area.

4. The subject site is currently improved with several classroom buildings, a gymnasium building, an historic structure known as the Manor House which houses the primary administrative offices, a swimming pool, playing fields and maintenance buildings for the Maret School.

5. The applicant proposes to construct a three-story addition to the existing four-story classroom building located on the western portion of the site and to construct a new gymnasium at the rear of the existing gymnasium on the southeastern portion of the site.

6. The immediate neighborhood is primarily developed with detached and semi-detached dwellings in the R-1-B and R-3 Districts to the north, west and south. The Legation of Switzerland is located immediately east of the subject site.

7. Paragraph 3101.42 of the Zoning Regulations permits a private school, other than a trade school, and residences for teachers and staff in the R-1-B District as a special exception provided that the following conditions are met:

a. It is so located that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions; and,

b. Ample parking spaces, but not less than that required is provided to accommodate the students, teachers and visitors likely to come to the site by automobile.

8. The existing four-story classroom building which is proposed for expansion is located centrally on the site and contains classrooms, an auditorium, a cafeteria, faculty offices and toilet facilities. The proposed addition will be three-stories in height and will contain a major atrium space, nine classrooms, a faculty lounge, three tutorial rooms, and toilet facilities.

9. The existing gymnasium building is two stories in height and contains the gymnasium, a stage locker rooms and classrooms. The proposed addition will be two stories in height and will contain a new basketball court and seating, an exercise room, a weight room, a visiting team locker room, storage space, two dressing rooms, for drama activities, and toilet facilities.

10. The proposed additional classroom and gymnasium space will permit more efficient use of school facilities for the existing school population of 500 students. There will be no increase in the number of students or faculty as as a result of the proposed expansion.

11. The Zoning Regulations require that a total of ninety-nine parking spaces be provided on-site, one for the kindergarten, twenty-four for the elementary and Junior high school and forty-eight for the high school. The applicant is providing 100 on-site parking spaces. There will be thirty-five parking spaces located in the northeast corner of the site and sixty-one spaces along the western boundary. The remaining spaces will be located along the circular driveway accessing the site from Cathedral Avenue. All parking spaces will meet all the requirements of the parking regulations with regard to paving, size, striping and landscaping.

12. No on-site parking will be available for student use during school hours. Bicycle racks are provided for student use; the school operates its own transportation service, and Metrorail and bus service are available nearby. Residential zone parking discourages students from parking on neighborhood streets.

13. The Zoning Regulations allow a maximum lot occupancy of forty percent in the R-1-B District. The maximum lot occupancy permitted on the subject site would be 137,759 square feet. The maximum lot occupancy proposed will be 45,829 square feet.

14. The historic nature of the centrally-located Manor House precludes additional construction in front of the Manor House or in the front lawn area.

15. The proposed gymnasium addition will not be visible from Cathedral Avenue and will be screened from residences to the south of the site by berming and landscaping

16. The owners of 2931 Garfield Street, N.W. appeared at the public hearing in opposition to the application. Their opposition was based on the following:

- a. The bulk of the thirty-six feet high gymnasium approximately eight to ten feet from their property line and located on a topographical rise of approximately six to eight feet would be too high and too close to their property.
- b. The noise generated by students outside the building during games would be excessive.
- c. There is no guarantee that the number of students and faculty will not be increased if the application is granted.
- d. The proposed gymnasium addition will decrease property values as indicated in a letter to them from a real estate appraiser from Walsh, Mesmer and Associates, Inc.

17. The letter which was submitted by the opposition set forth the appraiser's opinion that the construction of the gymnasium as proposed would make their property harder to market, take longer to market, would require it to be listed, and reduce the selling price from ten to fifteen percent less than the current value of the property.

18. The letter from the appraiser regarding the impact of the proposed construction on property values of neighboring residences was not specific with regard to the data on which that assessment was based nor was the appraiser present at

the public hearing to give further evidence and be cross-examined. Therefore, the Board does not find this evidence persuasive.

19. The owner of 2933 Garfield Street, N.W. appeared at the public hearing to express concerns regarding the proposal and suggest the need for compromise but not in opposition to or in support of the application. The concerns raised by this individual were as follows:

- a. The existing water drainage system is poor and the proposed plans, while showing some improvement, do not address the drainage issue in detail.
- b. Trash bins are stored near the curb area and should be removed.
- c. The applicant's fence is in need of repair. The applicant should provide a low wall and landscaping along the property line to buffer the impacts of the physical mass and performance of the school from adjoining residences to the south.

20. The record contains three letters in support of the proposed construction based on the quality of the Maret School and its benefit to the neighborhood by renovating and preserving the structure.

21. The record contains several letters in opposition to the application. The bases for the opposition is primarily as set forth in Finding of Fact No. 16. One letter in opposition raises an additional concern regarding the impacts of the proposed expansion on existing parking problems in the neighborhood.

22. Advisory Neighborhood Commission 3C, by resolution dated June 4, 1985, supported the application in that the site will be developed far below the permitted lot occupancy, many of the existing trees will be retained and additional landscaping will be provided to screen the additions from adjoining residences, and the applicant took extra steps to ensure that those persons most immediately affected were aware of the proposal. The ANC recommended the application be approved provided that:

- a. The applicant be required by the Board to improve the landscaping to provide a visual and noise buffer of evergreen plantings along the property line near the proposed gymnasium.
- b. The applicant shall protect against soil erosion that the proposed construction may generate.
- c. The applicant shall demonstrate that adequate

efforts are made to protect existing trees and screen the new additions.

23. The Board is required by statute to give "great weight" to the issues and concerns of the Advisory Neighborhood Commission reduced to writing. The Board concurs with the issues and concerns of the Advisory Neighborhood Commission and has so conditioned its decision granting this application.

24. The Chairperson waived the Rules to accept the report of the Office of Planning which was inadvertently not filed in a timely manner.

25. The Office of Planning by memorandum dated June 11, 1985, recommended that the application be approved. The Office of Planning was of the opinion that the proposed additions to the Maret School could be accomplished without being objectionable to adjoining properties. The Office of Planning noted the use of landscaping to buffer the visual appearance and noise from the gymnasium, that the number of faculty and student enrollment would not be increased, and that on-site parking would be provided in accordance with the Zoning Regulations. The Board concurs with the reasoning and recommendation of the Office of Planning.

26. The Board left the record open for the applicant to submit revised plans depicting the exact landscaping proposed, the drainage system and a brick wall to buffer any adverse impacts on neighboring properties. The applicant submitted revised plans on June 21, 1985.

27. The opposition's response to the revised plans raised the following concerns:

- a. The planting size of the proposed landscaping should be no smaller than the maximum size indicated in the applicant's submission, namely a minimum six feet for the American Holly and eight feet for the Leyland Cypress.
- b. The applicant should ensure that the area drains be kept clear to prevent clogging of the drains resulting in run-off and erosion problems. The retaining wall and the drainage system should be installed prior to construction to prevent aggravation of run-off and erosion during construction.
- c. The proposed masonry wall should be a minimum of eight feet in height as measured from the applicant's side of the property line.

28. In addressing the concerns of the opposition, the Board finds as follows:

- a. The use of the site as a private school is permitted as a special exception in the R-1-B District.
- b. The existing development and the proposed construction are in compliance with all area and parking requirements of the Zoning Regulations. No variance relief is necessary.
- c. There will be no increase in the number of students or faculty. Therefore, no increase in traffic, or noise will be generated. As a result of the proposed construction.
- d. The concerns regarding landscaping and drainage are addressed in the conditions imposed by the Board in this order.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception, the granting of which requires proof through substantial evidence of compliance with the provisions of Paragraph 3101.42 of the Zoning Regulations. The Board concludes that the applicant has so complied. As hereinafter conditioned, the structures are so located that they are not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students or otherwise objectionable conditions. The applicant is providing parking in excess of that required by the Zoning Regulations.

The Board further concludes that the relief can be granted as in harmony with the general purpose and intent of the Zoning Regulations and will not tend to adversely affect the use of neighboring properties. Accordingly, it is therefore ORDERED that the application is GRANTED SUBJECT to the following CONDITIONS:

1. Landscaping and drainage shall be in accordance with the revised plans marked as Exhibit No. 32A and 32B, except as hereinafter modified.
2. The masonry wall along the southeast property line shall be a minimum of eight feet in height as measured from the school side of the wall.
3. The masonry wall and landscaping shall be extended westward along the property line as shown on Exhibit No. 35 to protect the three residences immediately south of the subject property.
4. The new planting provided by the applicant shall

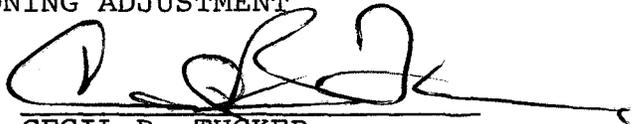
be a minimum of six feet in height for the American Holly and eight feet in height for the Leyland Cypress.

5. Trash containers shall be located at the rear of the gymnasium and the area shall be policed regularly to keep it free of refuse and debris.
6. The number of students of the subject school shall not exceed 500. The number of staff shall not exceed seventy-two.

VOTE: 4-0 (Charles R. Norris, William F. McIntosh, Maybelle T. Bennett and Carrie L. Thornhill to grant; Douglas J. Patton not present, not voting).

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

ATTESTED BY:



CECIL B. TUCKER  
Acting Executive Director

FINAL DATE OF ORDER: 22 OCT 1985

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 CONSUMER AND REGULATORY AFFAIRS.

order14300/DON16

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14300, of the Maret School, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for a special exception under Paragraph 3101.42 to expand the existing private school by additions to the gymnasium and classroom building and for variances from the paving and striping requirements for an accessory parking lot (Sub-section 7206.3) and the landscaping provisions for an accessory parking lot (Paragraph 7206.91) in an R-1-B District at premises 3000 Cathedral Avenue, N.W., (Square 2113, Lot 843).

HEARING DATE: June 19, 1985  
DECISION DATE: July 3, 1985

DISPOSITION: The Board GRANTED the application, WITH CONDITIONS, by a vote of 4-0 (Charles R. Norris, William F. McIntosh, Maybelle T. Bennett and Carrie L. Thornhill to grant; Douglas J. Patton not present, not voting).

FINAL DATE OF ORDER: October 22, 1985

ORDER

By letter dated November 26, 1985, counsel for the applicant filed a timely request for a modification of the approved plans pursuant to Section 506.1 of the Supplemental Rules of Practice and Procedure before the Board of Zoning Adjustment.

The proposed modification of plans was requested because construction costs have exceeded the applicant's budget for the project. The plans have been modified as follows:

- a. The footprint of the gymnasium building would be reduced approximately seven feet on the east side, eleven feet on the south side, and thirteen feet on the southwest side for a total reduction of approximately 3,015 square feet.
- b. The distance between the gymnasium building and the nearest property line would be increased from approximately twelve feet to approximately 22 feet nine inches.

- c. The height at the corners of the building will be reduced from 35 feet seven inches to 33 feet six inches.

No change to the on-site parking, landscaping and screening plans, or to the academic building are proposed.

Advisory Neighborhood Commission 3C, by letter dated December 3, 1985, offered no objection to the proposed modification provided that the masonry wall and planting screen remain at the heights stipulated by the Board's original approval. The other parties in opposition to the application, by letters dated November 27, 1985, offered no objection to the proposed modification within the same proviso.

The proposed modification would result in a decrease in the visual impact of the gymnasium building by reducing the building mass, height and coverage and by increasing the distance between the structure and neighboring properties. No additional variance relief is required.

The Board concludes that the proposed modifications are minor in nature. The applicant needs no further relief from the Board. The material facts the Board relied on in granting the application are unaffected by the proposed modified plans.

It is therefore ORDERED that the MODIFICATION of PLANS is APPROVED and that the plans marked as Exhibit No. 41A of the record are hereby approved and shall be substituted for those originally approved by the Board. In all other respects, the ORDER, dated October 22, 1985, shall remain in full force and effect.

DECISION DATE: December 4, 1985

VOTE: 4-0 (Charles R. Norris, Maybelle T. Bennett, William F. McIntosh and Carrie L. Thornhill to approve modification of plans; Douglas J. Patton not present, not voting).

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

ATTESTED BY:

  
CECIL B. TUCKER  
Acting Executive Director

FINAL DATE OF ORDER: 12 FEB 1986

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 CONSUMER AND REGULATORY AFFAIRS.

14300order/LJPL