

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14679, of James Cobb, pursuant to 11 DCMR 3108.1, for a special exception for more than 15 individuals under Section 205 to establish a child development center for 28 children, ages 2 to 5 years, 2 teachers and 2 aides in an R-4 District at premises 2025 Park Road, N.W., (Square 2617, Lot 61).

HEARING DATE: November 18, 1987

DECISION DATE: November 18, 1987 (Bench Decision)

FINDINGS OF FACT:

1. The site, known as premises 2025 Park Road, N.W., is located on the east side of Park Road one block south of Rock Creek Park. The site is located in an R-4 District which extends to the north, east and south of the site.

2. The site is basically rectangular in shape with a frontage of 20 feet along Park Road and a depth of approximately 134 feet. A ten foot wide public alley is located to the rear of the site. The lot is developed with a three-story plus basement brick row house. The subject structure is similar in size and configuration to the rest of the square which is improved primarily with row houses devoted to residential uses.

3. The first floor and basement of the structure are devoted to a child development center for 15 children which is allowed as a matter-of-right in an R-4 District. The second and third floors of the structure are used as residences by tenants. The rear yard is fenced and contains play equipment for the children. The center has been in operation for three years.

4. As captioned above, the applicant is seeking a special exception to expand the child development center from 15 to 28 children.

5. The center, the Family Montessori Center, serves children between the ages of two and five years and has a staff of four persons. Hours of operation are from 8:00 A.M. until 6:00 P.M.

6. The center has a one car garage located at the rear of the structure which provides the required parking for the use.

7. Approximately 75 percent of the center's students live near the school and are walked to school. Most of the center's staff walk or use public transportation to and from the site.

8. Morning arrivals of children are staggered between the hours of 8:00 A.M. to 9:00 A.M. Drop-off and pick-up of children occurs in front of the school. Afternoon departures are staggered between lunch time and 6:00 P.M.

9. The applicant has received no complaints about the operation of the existing center.

10. By memorandum dated November 13, 1987, the Office of Planning (OP) recommended approval of the application conditioned so that 1) the operation of the center is limited to the applicant 2) the hours of operation should be limited to 8:00 A.M. to 6:00 P.M. and 3) the time of arrival and pick-up of the children should be staggered so as not to create objectionable traffic conditions in the area. The Board concurs.

11. By memorandum dated September 18, 1987, the Department of Public Works (DPW) reported that it is of the opinion that the increased enrollment at the center will not have a significant impact on the surrounding street system. The Board concurs.

12. By letter dated November 5, 1987, Advisory Neighborhood Commission (ANC) 1E reported that it voted unanimously to recommend approval of the application as the center offers a great service to the community. The Board concurs.

13. Numerous letters were submitted to the record in support of the application, stating that the center is a welcomed neighbor, unobstrusive, and does not create any objectionable traffic conditions.

14. There was no opposition to the application at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the Findings of Fact and the evidence of record, the Board concludes that the applicant is seeking a special exception, the granting of which requires substantial evidence that the applicant has complied with the requirements of Sub-section 3108.1 and Section 205 of the Zoning Regulations. The Board concludes that the applicant has met its burden of proof.

The center will be capable of meeting all applicable code and licensing requirements. The center will create no

objectionable traffic conditions and no unsafe condition for picking up and dropping off children. The center will provide sufficient off-street parking spaces. As conditioned below, the center shall be designed so that there will be no objectionable impacts on adjacent or nearby properties due to noise or activity or other objectionable conditions. Students will be safely walked to the nearby park for off-site play.

The Board further concludes that the special exception can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and it will not affect adversely the use of neighboring property. The Board has accorded to the ANC the "great weight" to which it is entitled.

Accordingly, it is ORDERED that the application is GRANTED, SUBJECT to the following CONDITIONS:

1. Operation of the facility shall be limited to the Family Montessori Center.
2. The hours of operation shall not exceed from 8:00 A.M. to 6:00 P.M., Monday through Friday.
3. The number of students shall not exceed twenty-eight. The number of staff shall not exceed five consisting of two teachers and three aides.
4. The applicant shall provide one on-site parking space.
5. Discharge and pick-up of children shall be at staggered times between 8:00 A.M. to 9:00 A.M., and during afternoon hours.

VOTE: 5-0 (Patricia N. Mathews, Paula L. Jewell, William F. McIntosh, Charles R. Norris, and Carrie L. Thornhill to grant).

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

ATTESTED BY:

  
EDWARD L. CURRY  
Executive Director

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

MAR 21 1988

UNDER 11 DCMR 3103.1, "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.

14679order/BJW27

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
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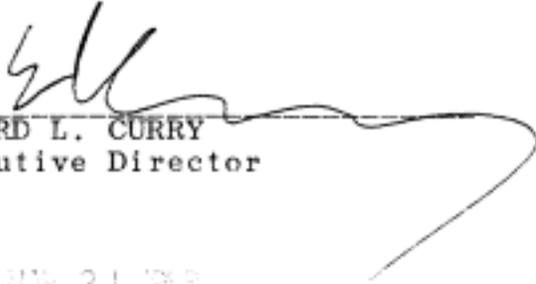
APPLICATION No. 14679

As Acting Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order of the Board in the above numbered case, said Order dated MAR 21 1988, has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Nancy Nickel  
2025 Park Road, N.W.  
Washington, D.C. 20010

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Washington, D.C. 20010

Alex Eckmann, Chairperson  
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EDWARD L. CURRY  
Executive Director

DATE: MAR 21 1988