

PUBLIC HEARING—August 18, 1965

Appeal #12 8315 Theodore Shapiro, et al. appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on August 25, 1965:

ORDERED:

That the appeal for permission to establish a community playground at 1919-24 New Hampshire Avenue, N.W., lots 40, 54 thru 57, inc., 806 thru 810, inc. square 176, be granted.

As the result of an inspection of the property by the Board, and from the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's lots, which are located in the R-5-C District and are unimproved, have a frontage of 150.82 feet on New Hampshire Avenue and contain an area of 13,294 square feet.

(2) Appellant requests permission to utilize this property as a neighborhood playground to keep children off the street. They will provide a picket fence around the area and will have swings which were donated by the D. C. Recreation Department. The lot will be operated from day to day by the Neighborhood Council and will be used for children in the neighborhood.

(3) A witness at the hearing stated that she has seen the definite need of the children on the streets.

(4) The owner of the property stated that the proposed lease is for two years with option to cancel on thirty days notice.

(5) The proposed use is not organized for profit but exclusively for the promotion of the social welfare of the neighborhood in which it is to be located.

(6) No articles of commerce will be sold on the premises.

(7) There was no opposition registered at the public hearing to the granting of this appeal. However, there was a letter on file in opposition.

OPINION:

It is our opinion that this use falls within the purview of paragraph 3101.45 of the Zoning Regulations as it is a local playground operated by a local community organization.

It is our further opinion that the use is not likely to become objectionable in this Residence District because of noise or traffic and the use will be reasonably necessary and convenient to the neighborhood in which it is to be located.