

PUBLIC HEARING—September 22, 1965

Appeal #8342 Mary L. and Frank Montgomery, appellants.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on Sept. 28, 1965:

ORDERED:

That the appeal to establish a pre-school group with a maximum of six children at 1414 Underwood Street, N.W., lot 39, square 2730, be denied.

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 lot, which is located in the R-1-B District, has a frontage of 40 feet on Underwood Street and depths of 97.90 and 94.88 feet. The lot contains an area of 4080 square feet.

(2) This property is improved with a dwelling and in the rear yard there is another building 24.78 x 19.23 feet in size which appellant states was used by a doctor who had his office there. Appellant has marked out a play area of 800 square feet between the rear of her dwelling and the building in question.

(3) Appellant states she has had experience with children, being a practical nurse. The children would be there for the working hours of the mothers from around 9:00 a. m. to 5:00 p. m., five days a week.

(4) There was considerable opposition to the granting of this appeal registered at the public hearing by Neighbors, Inc. and by residents of the 1400 to 1600 block of Underwood Street. The contention of the objectors is that the noise would be objectionable to adjoining and nearby properties. They further stated that the D.C. Recreation Department operates a pre-school only one block removed, and further, that there are no children of pre-school age who would attend the school.

OPINION:

It is our opinion that the establishment of this pre-school group at this location would become objectionable to adjoining and nearby property because of noise, and to some degree by traffic generated by the coming and going of the mothers picking up the children. We are further of the opinion that this school is not reasonably necessary or convenient to the neighborhood which it is proposed to serve for the reason as stated by the opposition that there are no children in this immediate area who would attend the school, and further, there is an existing pre-school group within a block operated by the D.C. Recreation Dept.

In view of the finding of fact and opinion, we are of the further opinion that the granting of this exception will not be in harmony with the general purpose and intent of the zoning regulations and maps and will tend to affect adversely the use of neighboring property in accordance with said zoning regulations and map.