

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- February 15, 1967

Appeal No. 9100 Bessie A. Luttrell, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and carried, with Mr. William F. McIntosh abstaining and Mr. Samuel Scrivener, Jr. absent, the following Order was entered at the meeting of the Board on March 28, 1967.

EFFECTIVE DATE OF ORDER - April 17, 1967

ORDERED:

That the appeal for permission to establish an eleemosynary organization at 2659 Woodley Road, NW., lot 7, square 2108, be dismissed for the reasons hereinafter stated:

FINDINGS OF FACT:

(1) The subject property is located in an R-3 zoning district.

(2) The Florence Crittenton Home and Hospital, Inc. seeks to establish a home for unwed mothers at the subject property. A social case worker and husband and a maximum of four unwed mothers will live in the home. No infants will reside in the building.

(3) The Board takes notice that under Section 1202 of the Zoning Regulations, the definition of family includes "not more than six persons who are not so related, living together as a single housekeeping unit, using certain rooms and housekeeping facilities in common"

(4) The requested home for unwed mothers comes within the aforesaid definition of family contained in Section 1202 of the Zoning Regulations. (See letter dated March 22, 1967 from the Executive Director of the Florence Crittenton Home and Hospital, which states that the home "is planned as a synthetic family unit, structured to provide a living plan for young women in late adolescence or early adulthood. A married couple in their late middle years, professionally trained in social service and in the ministry would be house parents, responsible for the upkeep

maintenance and family atmosphere, the same as natural parents," and testimony in transcript.)

(5) There was opposition to this request at the public hearing. The Woodley Park Community Association opposed the granting of this appeal.

(6) The record contains letters in favor of and in opposition to the application.

(7) By letter dated March 27, 1967 (See Exhibit No. 18), the National Capital Planning Commission recommends disapproval of the subject appeal because it would be "essentially a rooming and boarding house . . . which is not permitted in an R-3-District . . . The Commission is of the further opinion that the proposed use would be detrimental to the neighborhood. . ."

OPINION:

The Board is of the opinion that the proposed use, limited as it is, falls within the definition of family in the Zoning Regulations and that, consequently, the home may be established as a matter of right and without approval of the Board of Zoning Adjustment. Thus, the Board need not reach a decision on the original request to establish the home as an eleemosynary organization.

The appeal is therefore dismissed, without decision on the merits, as having been unnecessarily filed.