

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- September 13, 1967

Appeal No. 9335 Trustees, The Church of the Pilgrims, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on September 19, 1967.

EFFECTIVE DATE OF ORDER -- May 8, 1968

ORDERED:

That the appeal for permission to continue operation of pre-school training program for approximately 50 children at 22nd and P Streets, NW., lot 825, square 2510, be conditionally granted.

FINDINGS OF FACT:

[1] The subject property is located in an R-3 District.

[2] The pre-school program is now in operation pursuant to Order of this Board. It is conducted in the class rooms of the educational building of the Church and on the surrounding grounds of the Church of the Pilgrims.

[3] The record in Appeal No. 8017 and No. 8486 are incorporated into this record by reference.

[4] The facts remain essentially the same as existed at the time of the previous hearings held by this Board.

[5] The pre-school program is conducted as a part of the Head Start Program of the District of Columbia. The staff consists of nine persons -- three teachers, three teachers' aides, one food service manager, one bus driver, and one custodian.

[6] Subsequent to the public hearing, the Board again made an exterior inspection of the property of the church during the period of the day when the pre-school was in session. The property was well kept and there did not appear to be any serious noise problem. There appeared to be adequate play space and the children were under supervision.

[7] A tree which had held a swing for the children had been fixed so that the children no longer could swing from the tree and affect the adjacent property.

[8] The school operates during the hours 9 a.m. to 11:15 a.m., Monday through Friday.

[9] By letter dated September 15, 1967 (BZA Exhibit No. 14) Mr. Hugh B. Carter, Jr., agent for the Trustees of the Church of the Pilgrims stated that there is available : 1,421 square feet of classroom space; a recreation room containing 2,600 square feet; a fenced playground and other space totaling 3,990 square feet; and a paved parking area containing 4,940 square feet. All of this space is available to the children attending the school.

[10] The airline distance from Seaton Place, where the children reside, to the church is not more than .7 miles.

[11] At the time of the public hearing there were 35 children registered at the school. There are three classes of children, each containing no more than 15 children with a teacher and a teacher aide.

[12] There was objection to the granting of this appeal registered at the public hearing. An attorney representing the owner of 2210 Q Street, NW. stated the same objections that were noted in Appeal No. 8486. There is another letter in the file opposing the appeal. By letter dated September 13, 1967 (BZA Exhibit No. 12) the Dupont Circle Citizens Association Zoning Committee supports the granting of this appeal. One other letter appears in the file supporting the appeal.

OPINION:

We are of the opinion that this school performs a community service and is so located and the activities therein are such that the school will not likely to become objectionable to adjoining and nearby property. We further believe that this school is reasonably necessary and convenient to the neighborhood which it is proposed to serve.

OPINION Cont'd

The continuance of this school will not adversely affect the public good or substantially impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

This Order shall be subject to the following conditions:

- (a) Permit shall issue for a period of one (1) year but shall be subject to renewal in the discretion of the Board on the filing of a new appeal in the manner prescribed by the Zoning Regulations.
- (b) Appellant shall maintain in good repair the fence around the abutting property and do all that is possible to limit any possible infringement on the property of the abutting neighbor.

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

ATTESTED:

By: James E. Bess
JAMES E. BESS
Secretary of the Board