

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - March 19, 1969

Appeal No. 9975 Helen J. Barnes, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of March 25, 1969.

EFFECTIVE DATE OF ORDER - Nov. 10, 1969

ORDERED:

That the appeal for permission to establish a private school for grades 1 through 3 for variance from the provisions of Section 3101.41(d) to reduce the size of play area per child or in the alternative to provide play area and off-street parking on adjoining lot 1, Square 5424, at 231 Anacostia Road, SE., lots 2 and 3, Square 5424, be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in an R-5-A District.
2. The property is improved with a two-story and basement detached brick dwelling.
3. Appellant proposes to establish a private school, grades 1 through 3 for no more than 50 children.
4. With the anticipated enrollment of 50 children, appellant proposes to have two (2) teachers for every fifteen (15) children.
5. Appellant proposes to provide the required parking on lot 1 which adjoins lots 2 and 3. Part of lot 1 is also to be used as an additional play area.
6. It is alleged that the size of appellant's lot creates the hardship.
7. No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that this proposed school is so located and the activities therein will be such that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or other objectionable conditions. The school will have and provide ample play area for the number of students contemplated. Ample parking shall be made available to accommodate teachers and visitors to the school.

We are of the opinion that appellant has proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner. Accessory parking and additional play area may be established on Lot 1.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

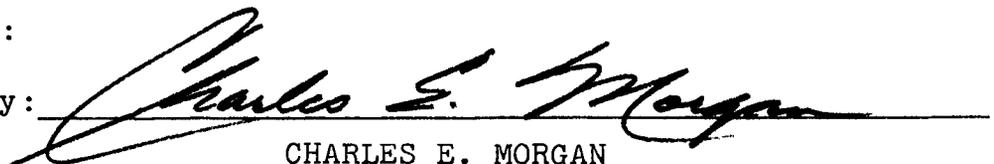
This Order shall be subject to the following conditions:

- [a] Enrollment shall be limited to 50 children.
- [b] The required play area of the 100 square feet per child shall not be reduced.
- [c] The appellant shall provide accessory parking and additional play area on adjoining Lot 1, Square 5424.
- [d] Permit shall issue for a period of 5 years for grades 1 through 3.
- [e] A covenant shall be provided by the owners of Lot 1, Square 5424 for the accessory uses prior to permits being issued.

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

ATTESTED:

By:



CHARLES E. MORGAN
Secretary of the Board