

Servants of the Lord and the Virgin of Matara

Statement in Support of Request for Renewal of Special Exception/Certificate of Occupancy
for
1326 Quincy Street, NE, Washington, D.C

Permit No CO1100930

The Servants of the Lord and the Virgin of Matara (hereinafter, “SSVM”), hereby submits this statement in support of its application for renewal of its special exception to use its residence at 1326 Quincy Street, NE, Washington, D C (“subject property”) as a religious group residence (*See, Attachment A* attached hereto) The special exception was initially granted by the Board of Zoning Adjustment (the “Board”) on September 17, 2010 (the “Initial Order”)

SSVM is seeking the renewal of the special exception at this time is pursuant to the conditions imposed on SSVM’s special exception in the Initial Order, whereby the special exception was granted with a term limit of five (5) years This term limit condition was subsequently upheld by the Board in its final Order on Reconsideration dated January 11, 2011 (*See, Attachment B* attached hereto) The date for renewal of the special exception is September 17, 2015

In its decision denying the Reconsideration request, the Board acknowledged that the imposition of a term limit condition to the special exception use served multiple purposes, all of which could be revisited and possibly revised at a later date Indeed, the Board opined that the special exception use grant itself indicated a “determination that the use will likely not have adverse impacts on its neighborhood, but to ensure that his determination is correct, the Board may impose a term ” (P 4) As the supporting evidence will hopefully show, SSVM believes it is able to prove that the Board’s initial thinking was correct and the special exception should be renewed and not subject to any further conditions

Board Imposition of Special Exception Use Conditions

In May 2010, Ronald McDonald House Charities filed an application for special use to operate a religious group residence for 96 persons (Application No 18095) The Ronald McDonald House subsequently sold the Subject Property to SSVM On September 17, 2010, the Board granted a special exception to use the subject property as a religious group residence Prior to the Initial Order, a hearing was held on September 14, 2010 to discuss the application At this meeting, no parties appeared in opposition to the application and, consequently, the application was granted

As the special exception use, represented, in the eyes of the Board, a new “use,” it was not possible to refer to any evidence of adverse impact on the neighborhood Therefore, a term limit of five (5) years was imposed on the special exception in an effort to “guard against *unforeseeable* [their emphasis] adverse impacts that may arise in the future ” (P 4) The term

limit also, according to the Board, provided SSVM with a defined time period to create a “positive “track record” in the neighborhood” (P 4) and request that the special exception be renewed with no term attached to it

It is also important to remember that in granting a special exception the Board has a duty to ensure two critical objectives are met. (1) harmony with the purpose and intent of the Zoning Regulations and Maps and (2) no tendency for the use to adversely affect the neighboring property When the use is regarded as “new,” as in the case of SSVM, the Board has determined that the most effective way to ensure these objectives are met is through the imposition of a time/term limitation In the case of the SSVM, this limitation is the aforementioned five (5) years

SSVM Response to Board Imposition of Conditions

No Adverse Impact on Neighborhood

In its Initial Order, the Board determined that the grant of the special exception to the SSVM could be regarded as an affirmation of the special exception use meeting one of the Board’s key objectives being in harmony with the general purpose and intent of the Zoning Regulations and Maps (*See, Summary Order, P 2*)

With this objective already met, SSVM wishes to show how it has complied with, in the intervening years, the second objective, namely no tendency to adversely affect neighboring property

In support of SSVM’s request for renewal of the special exception and omission of any conditions, especially time limits, SSVM has attached letters from neighbors residing within a 200 feet radius of the subject residence (*See, Attachment C*) These letters confirm that in the years since 2011, when SSVM came to the neighborhood, it has been both a welcome addition to, and an integral part of, the community Such affirmative quotes include

“The Servants of the Lord and the Virgin of Matara are simply a joy to have as neighbors ”

“Their presence in our neighborhood has been a profound blessing, bringing a spirit of tranquil peace ”

“We really enjoy the relationship we have with the Sisters next door ”

These affirmations are also echoed by Ursula Higgins, Commissioner, Advisory Neighborhood Commission 5B (“ANC”), who, in confirming the ANC’s support of the SSVM’s renewal application, acknowledges no complaint from within the neighborhood against the SSVM and regards SSVM as a “welcome addition to the local community ” This sentiment was echoed by the fact that SSVM was invited to and participated as a feature home on the 14th Annual Brookland House and Garden Tour, which took place on June 8, 2014

Number of Residents at Subject Residence

SSVM would also like to clarify for the Board the confusion that seems occurred related to the issue of the number of residents at the subject property, namely that it was, and still is, the intention of SSVM to house up to 96 residents on a permanent basis

In support of its application for the renewal of its special exception minus any attached conditions, SSVM would like to categorically state for the record that it was never its intention to permanently, or even for an extended period of time, house 96 residents at the subject property. This oft-quoted number may have been mentioned at the time of the initial application for a certificate of occupancy in 2010, but it doesn't correspond with the reality of how many individuals actually reside at the property. Although the Initial Order did allow for up to 96 residents, it is a fact that this allowance contributed to the Board's decision to impose a term limit.

Therefore, in keeping with SSVM's request for a renewal for the special exception without conditions, SSVM can confirm that at any one time, there is likely to be no more than 25-50 sisters are **resident** at the subject property (last year, for example, there were 33 sisters resident). This number should be separated from the fact that on occasions that special events are held at the subject property, there exists the **capacity** for up to 96 individuals to reside there, albeit for a short, defined period of time. Consequently, we would request that in deliberating whether to grant the renewal of the special exception, the Board considers the former number (25-50) as the maximum for the number of residents and not the latter (96). This also would place SSVM well within the 58 people detailed on the certificate of occupancy, attached hereto as Attachment D.

It is also important to mention that when "special events" are to occur, SSVM goes to great lengths to ensure its surrounding neighbors are provided with adequate notice with an aim to not adversely impact the community. As the Board will be able tell from the testimonials attached as Attachment B, SSVM has been quite successful in achieving that objective.

Conclusion

In conclusion, SSVM requests the renewal of its special exception and certificate of occupancy without conditions. We believe we have met the Board's two objectives they cite as determining whether to grant the special exception, namely harmony with the purpose and intent of the Zoning Regulations and Maps and no tendency for the property use to adversely affect the neighboring property.

Since the initial grant of its special exception in 2010, SSVM has worked diligently to integrate itself into the community and have become an active and fondly-regarded member of it. We fully intend to continue this work and so we request that the Board consider the evidence

provided and grant the renewal of SSVM's special exception and certificate of occupancy without any conditions or term limits

Dated *July 18* , 2015

Kathryn Ambrogio, SSVM
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