

**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

**APPLICATION OF
BOYS TOWN WASHINGTON, D.C., INC.
4801 SARGENT ROAD, N.E.; Square 3977, Lot 134**

APPLICANT'S STATEMENT

I. Nature of Relief Sought.

Boys Town Washington, D.C., Inc. ("Boys Town") hereby requests special exception approval from the District of Columbia Board of Zoning Adjustment ("BZA"), pursuant to Section 303 of the Zoning Regulations, for the construction and operation of one additional youth residential care home housing up to six children. This application is meant to modify the currently effective approval granted in BZA Order No. 16531, which granted approval for the operation of four long-term youth residential care homes on the property located at 4801 Sargent Road, NE, Washington, D.C. (the "Property").

II. Background.

A. Boys Town

Boys Town Washington, D.C. Inc., is a subsidiary of Father Flanagan's Boys Home in Omaha, Nebraska. Boys Town currently operates four "long-term" youth residential care homes on the Property, each home approved to include up to six children residents, as approved in BZA Order No. 16531, and currently operating under Certificate of Occupancy No. CO0901582. In addition to these four homes, Boys Town operates, also on this Property, a "short-term" youth residential care home, or, emergency shelter, for up to sixteen children, pursuant to BZA Order No. 15805 issued on August 31, 1993, and Certificate of Occupancy No. B172319, issued July 14, 1995.

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This application requests a modification to the approval granted in BZA Order No. 16531, to include one more youth residential care home housing up to six children, per the Site Plan included in this Application.

The “long-term” youth residential care homes operated here and in other cities across the country are designed to help abused and neglected children put their lives back together again through a program of responsibility, nurturing, and love. Father Flanagan’s philosophy – that there are no bad boys, just bad environment – is the core of the Boys Town long-term residential program. Accordingly, Boys Town devotes substantial financial and staff resources towards the creation of a structured, secure, home-like atmosphere to facilitate a change in the thinking, life style and behavior of youths. Boys Town provides individualized treatment, designed to change behavior by teaching appropriate skills in a family setting. More comprehensive information about Boys Town is attached to this Statement as Exhibit A.

B. Previous Zoning Approvals.

The Property was formerly the site of St. Gertrude’s School and Development Center, a 24-hour care and educational facility for up to 50 mentally and emotionally handicapped children. St. Gertrude’s established its use on the Property in 1927, and was the applicant in two BZA applications for improvements and expansion (BZA Application No. 9208 and No. 12530). St. Gertrude’s discontinued its operations in 1993 and sold the Property to Boys Town.

On August 31, 1993, the Board issued Order No. 15805 granting special exception relief for Boys Town to establish Father Flanagan’s Boys’ Home of Washington, a long-term youth residential care home for 15 children and an emergency youth shelter for 20 children. Starting in 1993, Boys Town operated from this BZA Order and two resulting certificates of occupancy. Certificate of Occupancy No. B172319, issued on July 14, 1995 (still in effect), authorizes the

use of the Property for an Emergency Shelter – 16 children. Certificate of Occupancy No. CO-0901582 authorizes the use of the four youth residential care homes approved in BZA Order No. 16531, which were constructed and opened in 2005.

The Zoning Administrator has determined that relief is properly being requested pursuant to Section 303, as a modification to the approval in BZA Order No. 16531, to add one youth residential care home to the operation authorized by Certificate of Occupancy No. CO-0901582. See the Zoning Administrator's Determination Letter included in this Application.

III. Description of the Property and the Surrounding Area.

The Subject Property is located at 4801 Sargent Rd., NE (Square 3977, Lot 134), in the R-2 Zone District. It has a lot area of approximately 526,310 square feet, or 12.1 acres. The Property is improved with the four youth residential care homes built in 2005, and two other buildings which house the short-term facility and the administration building. There are 44 parking spaces on the Property.

The R-2 zone district is a low density residential zone which permits youth residential care homes of six children or less as a matter of right. Because of the large size of the Property, R-2 zoning would otherwise permit as many as 175 semi-detached homes as a matter of right.

The Property is bounded by Sargent Road to the west. To the north, from west to east, is a church, and several homes - across an alley, and the North Michigan Park Recreation Center. Bordering the Property on the east and the south is St. Anselm's Abbey Catholic Boys School, with an enrollment of approximately 232 students, on a 40-acre property that covers almost two entire sides of the Boys Town Property. The proposed new home will be located on the south side of the Property, nearest the Property's border with St. Anselms. Also to the south of the

Property, on the western edge of the Property, are several homes located on 13th Place, NE, off of South Dakota Avenue. See photos included in this Application.

IV. Proposed Use.

Boys Town is proposing to add one youth residential care home to the four existing youth residential care homes approved in Order No. 16531. The program used in each youth residential care home is designed to help abused and neglected children put their lives back together through a program of responsibility, nurturing, and love. Boys Town provides foster care in a structured, secure home-life atmosphere for youths who want help and who function within the normal range of intelligence. Boys Town provides each youth in its program with an individualized treatment program designed to change behaviors by teaching appropriate skills in a family-style setting. The ultimate goal is the development of skills that will allow the youth to be reunited with his or her family, if possible, or to live independently or to pursue a college education at age 18.

The physical environment of the long-term residential care home or “family home” would mirror a middle-class home in design, décor, and atmosphere. The primary full-time staff in the home are a married couple, called “family teachers,” who reside in the home and function as parents. Family teachers complete an intensive training program. The family teachers are also assisted by full-time and part-time assistant family teachers, a program coordinator, and the site director, who oversee the operation of the program. Boys Town staff receive extensive and continuing training on responding to “significant events” including emotional crises and disruptive behavior.

The staff-to-youth ratio for the youth residential care homes is 1:2. The Boys Town residents are closely supervised to ensure progress in their individualized treatment programs.

The close supervision, high staff-to-child ratio, and the high level of training for the staff and family teachers, all work to reduce the possibility of any adverse affect on the surrounding neighborhood from the Boys Town residents.

V. Special Exception Requirements.

Pursuant to the Zoning Administrator's determination, the Applicant has applied for special exception relief pursuant to Section 303 of the Zoning Regulations. Approval of this Application would increase the maximum permitted number of residents on the 12-acre Property from 40 to 46, including a maximum of 16 children in the short-term home, and six children in each of the long-term homes. The Application complies with the requirements of Section 303 as follows:

303.2 There are no other properties containing a community-based residential facility for seven or more person in the same square.

303.3 There are no other properties containing a community-based residential facility for seven (7) or more persons within a radius of five hundred feet (500ft.) from any portion of the subject property.

303.4 There is adequate, appropriately located, and screened off-street parking to provide for the needs of occupants, employees, and visitors to the facility.

303.5 The new youth residential care home will meet all applicable code and licensing requirements, as is the case for the other homes on the Property.

303.6 The facility shall not have an adverse impact on the neighborhood because of traffic, noise, operations, or the number of similar facilities in the area.

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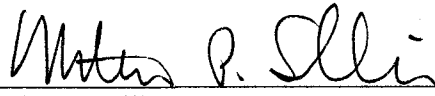
303.7 The cumulative effect of the five long-term residential youth residential care homes and the one short-term youth residential care home will not have an adverse impact on the neighborhood because of traffic, noise, or operations.

The proposed use of the new youth residential care home, along with the existing homes, complies with the above conditions set forth in the Zoning Regulations. The youth residential care homes are located on a large property (over 12 acres), and the new proposed home is located in an area which is furthest removed from the surrounding residences, and closest to St. Anselm's Abbey School. The modification to the existing approval proposed in this application represents an increase of 15% in the total population, from a *maximum* of 40 children to 46 children. Boys Town has not had any material adverse effect on the surrounding neighborhood over its history here on Sargent Road, and an increase of six children, from 40 to 46, should not change that situation.

VI. Conclusion.

For the reasons set forth above, the Applicant respectfully requests the Application be granted.

Respectfully Submitted,



Martin P. Sullivan
Sullivan, Styles & Barros, LLP

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Exhibit A

About Boys Town

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Boys Town has been a national leader in the care and treatment of children since its founding more than 90 years ago by Father Edward Flanagan. As one of the largest nonprofit, nonsectarian child and family care organizations in the country, Boys Town provides compassionate, research-proven treatment for behavioral, emotional and physical problems.

Each year Boys Town programs and services touch the lives of 1.4 million people nationwide. In 2009, that included 21,458 children who received direct care through youth care programs and 42,136 children and families that received direct care through health care programs.

Under the leadership of Father Steven E. Boes, Boys Town's focus is on implementing our unique Integrated Continuum of Care. The Continuum provides a tightly integrated spectrum of research-proven services based on the consistent delivery of the Boys Town ModelSM.

Children and families can begin services in the Continuum at the level that best suits their needs. As they progress or their needs change, they can move from treatment levels of more intensive care to ones of greater independence and empowerment. This unique approach enables us to help more children and families in more ways, with the same expectations for positive results. Boys Town also has taken a leadership role in advocating for change in the current child care system, which often offers fragmented and ineffective treatment.

The Village of Boys Town in Nebraska remains the national headquarters for Boys Town and is the research, program development and administrative center of the organization.

Boys Town's outreach is national in scope, with treatment and care programs at more than a dozen sites across the country. Even more children and families receive benefits through the training and assistance Boys Town offers to hundreds of organizations, including schools and other youth care organizations. The Boys Town National HotlineSM has handled more than 8 million calls since opening in 1989, and provides assistance to children and parents 24/7, year round.

Boys Town National Research HospitalSM in Omaha, Nebraska, is internationally recognized as a leader in the treatment of childhood deafness, speech problems, visual impairment and related communication disorders. Its research programs seek improved diagnostic and treatment techniques for young children, and it is a world leader in research on Usher syndrome.

Our Approach

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Boys Town knows how great the need is for compassionate and effective care for today's at-risk youth. Every year, hundreds of thousands of children are abused and neglected. Like numbers suffer emotional or behavioral disorders, leaving parents confused and frustrated.

These are fragile children and families in need of compassionate and effective care. Every day, through programs nationwide, Boys Town reaches out to help those who are most in need. We lift them up, heal their wounds and put them on the path to a brighter future.

Boys Town has been saving children and healing families for more than 90 years for two reasons:

We have an unwavering belief in the inherent potential that exists in each child, no matter what their circumstances.

We have the skill and knowledge to develop youth and family services that provide lasting, life-changing results.

The heart of our service lies in our Boys Town Integrated Continuum of CareSM, which serves nearly 370,000 at-risk children and families each year. The Continuum is unique and provides a tightly integrated spectrum of research-proven services based on the consistent delivery of the Boys Town ModelSM. Children and families can begin services in the Continuum at the level that best suits their needs. As they progress or their needs change, they can move from treatment levels of more intensive care to ones of greater independence and empowerment.

Simply put, the Boys Town Integrated Continuum of CareSM provides the right treatment, at the right time, in the right way, for the right amount of time. This unique approach enables us to help more children and families in more ways, with the same expectations for positive results.

For children, this means being successful in school, at home and on the job while growing into productive citizens. For families, it means having a safe home, being able to solve problems and staying together.

Boys Town serves children and families through locations around the United States. A nonprofit, publicly-supported organization, we have impacted the lives of millions of people since 1917. Through compassion and a research-proven approach, Boys Town helps them find healing and hope.

About Boys Town Washington D.C.

Children and families in the nation's capital have benefited from Boys Town Washington D.C. services since the site opened its doors in 1993. In 2009, Boys Town's Integrated Continuum of CareSM touched the lives of 8,781 people in the District of Columbia and Maryland, including direct care to 375 children and 94 families. Direct care services for children include Treatment Family Services, with four Treatment Family Homes for Adolescents in the District, and a Treatment Foster Care Program that serves children of all ages in safe homes in the community. The site also offers Intervention and Assessment Homes that care for youth in crisis and assess their treatment needs, In-Home Family Services, and Child and Family Support Services, which focus on providing Common Sense Parenting® classes that help parents expand and improve their child-rearing skills.

Jeff Peterson serves as Boys Town Washington D.C.'s Executive Director.

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J. Peterson