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BOARD OF ZONING ADJUSTMENT
SPECIAL EXCEPTION APPLICATION
APPLICANT'S STATEMENT

Towana McMickens (Property Owner and Applicant)
Kiddie Academy Child Development Home (Tenant and CDH Operator)
2739 Knox Terrace S.E; Square 5728, Lot 0037

I. Introduction

Kiddie Academy Child Development Home is owned and operated by Towana McMickens, it is located in the R-3 district since September 2010 as a Child Care home base center. The home is owned by Julius Peterson and Towana McMickens since 1999. Kiddie Academy is a license home care that offers full and part time education development care to children from six weeks to 12 years. Currently we are caring for 6 children, ages 2 months to three years with two staff persons that are called in when needed.

II. History and Background of the Kiddie Academy Child Development Home.

Towana McMickens founded Kiddie Academy Child Development Home (KACDH) in September 2010, and the home has been operated since then. Towana McMickens has over twenty years in childcare education; 18 years with Federal Trade Commission Care Center. Some of the duties that were performed there are; assistant teacher for Infants two (2) years, lead teacher for Toddlers four (4) years, lead teacher for Pre-K (12 years) and Acting Director for (3 months). She also set on the Board of Directors 14 years as a representative for staff. Mrs. McMickens has a Child Development Associate (CDA) and an Associate Degree from Southeastern University in Associate of Arts in Child Development.

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The philosophy of Kiddie Academy Child Development Home (KACDH) is to provide a safe, healthy environment for young people. We believe that if children are given the opportunity to interact with other children in a developmentally appropriate environment they will excel. Children can learn and discover through play. KACDH has the child's best interest at heart as we provide a wide variety of age appropriate learning experience throughout the day.

KACDH is located on the first floor of a three story townhouse with a front and back exit. The townhouse is not attached to another home and the yard is fenced in. See Exhibit A; Visio drawing of building structure. There is a play space in the Property's back yard. The maximum number of children permitted to use this play space is six (6). This maximum permitted number may change as a result of the increase in children from (6) to twenty (20). Currently all the children in the program are age three (3) years or under. The current license allows up to age twelve (12), and KACDH would like to still be able to service these older children. As of this date, it is expected that all the 20 children will be age 12 or younger.

The staff will increase from two (2) persons as needed to four (4) full time and two persons as needed. There are two parking spaces in the car port and adequate parking space on the street for staff and clients to park and bring them inside the center. KACDH has operated since 2010 without incident or complaints; the neighbor speaks very highly about the service that KACDH brings to the area. Mrs. McMickens has identified the opportunity to serve another fourteen (14) children within the current space (as permitted by the licensing regulations of Children Development Center) and is therefore requesting this approval.

III. The Application Satisfies the Special Exception Requirements of Sections 3104 and 205.

A. Overview. Pursuant to Subsection 3104.1 of the Zoning Regulations, the Board is authorized to grant special exception relief where in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning regulations and Zoning Maps, and will not tend to affect adversely the use of neighboring property, subject also, in this case, to the specific requirements for relief under Section 205 of the Zoning Regulations.

Uses that are permitted by special exception are deemed compatible with other uses permitted in that particular zoning classification provided certain requirements are met. In reviewing applications for a special exception under the Zoning Regulations, the Board's discretion is limited to determining whether the proposed exception satisfies the relevant zoning requirements. If the prerequisites are satisfied, the Board ordinarily must grant the application. See, e.g., Nat'l Cathedral Neighborhood Assn. v. D.C. Board of Zoning Adjustment, 753 A.2d 984, 986 (D.C. 2000). This application provides sufficient evidence to show that the Applicant satisfies the relevant zoning requirements of Sections 205 and 3104.1, as described below.

B. The Requirements of Sections 205.

205.2 The center or facility shall be capable of meeting all applicable code and licensing requirements

KACDH is capable of meeting all applicable code and licensing requirements necessary to operate a child development center as proposed. KACDH currently operates under Home Occupation Permit number. HO1000027 (copy attached as Exhibit B) and is currently licensed by the D.C. Office of the State Superintendent of Education (OSSE) to operate a six (6) child home care.

205.3 The center or facility shall be located and designed to create no objectionable traffic condition and ne unsafe condition for picking up and dropping off persons in attendance.

KACDH is located where there are no objectionable traffic conditions and no unsafe condition for picking up and dropping off children. Children will be dropped off between 7 A.M. and 9:A.M. with on average about 3 trips per hour and picked up between 4 P.M. and 6 P.M. KACDH has been operating like this successfully without incident or complaint since 2010. The increase of fourteen (14) children will increase from 3 trips between the drop off and pickup to about 8. However, this should not significantly alter that situation of drop off and pickup.

205.4 The center or facility shall provide sufficient off-street parking spaces to meet the reasonable needs of teachers, other employees, and visitors.

KACDH provides one parking space on the Property and there are plenty of streets parking available on Knox Terrance SE and nearby 28th St., SE. Also, there is a private drive way on the Property. The addition of staff should not create any parking problems for the neighbors. Therefore the proposed increase in children or staff should not change the existing parking situation.

205.5 The center or facility, any outdoor play space provided, shall be located and designed so that there will be ne objectionable impacts on adjacent or nearby properties due to noise, activity, visual, or other objectionable condition.

KACDH has six feet fences that enclosed the play area in the back of the townhouse and there are no attached townhouses nor are there any within 20 feet. There should be no objectionable impacts on adjacent or nearby property due to noise, activity, visual or objectionable condition. KACDH has relished the support of its neighbors.

205.7 Any off-site play area shall be located so as not to result in endangerment to the individual in attendance at center or facility itself.

There is no off-site play area.

205.8 the board may approve more than one (1) child/elderly development center or adult day treatment facility in a square or within one thousand feet (1,000 ft.) of another child/elderly development center or adult day treatment only when the Board finds that cumulative effect of these facilities will not have an adverse impact on the neighborhood due to traffic, noise, operations, or other similar factors.

There is no child/elderly development center or adult day treatment facility within the one thousand (1,000 ft.) of KACDH

C: The Requirements of Subsection 3104.1

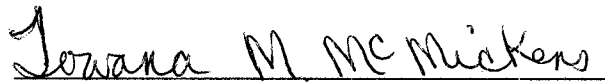
Granting of the special exception will be in accord with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property.

The request to server twenty (20) children with four (4) full-time and two part-time staff in a one-family or dwelling neighborhood is compatible with other similarly-situated centers approved by the Board. KACDH understands that each application is judged on it particular merits.

IV. Conclusion.

KACDH would bring an affordable, safe and healthy environment to the people in the neighborhood. For the reasons stated above, this application meets the requirements for special exception approval by the Board, and the Applicant respectfully requests that the Board grant the requested relief.

Respectfully submitted,

A handwritten signature in cursive script that reads "Towana M. McMickens". The signature is written in dark ink and is positioned above a horizontal line.

Towana M. McMickens