CAPITOL HILL RESTORATION SOCIETY
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October 23, 2000

Ms. Jerrily R. Kress, Director
Board of Zoning Adjustment
Suite 210
441 Fourth Street, NW
Washington, DC 20001

BZA # 16622
PREMISES: 1022 Maryland Avenue, NE
SQ 961, LOT 803
HEARING DATE: 10/24/00 (PM)
ZONING: R-4

Dear Ms. Kress:

The Capitol Hill Restoration conditionally SUPPORTS relief under Section 303, but OPPOSES giving relief under Section 335.

This is an application for a special exception to expand operation of a youth residential care home from 10 to 15 residents. The facility has been in operation since 1983 as a "Youth Rehabilitation Home" for 10 residents.

The applicant, Sasha Bruce Youthwork, was represented by Deborah Shore.

The application was made under Section 303.1, which was also the section indicated in the Zoning Administrator's letter. Section 303 is for a youth residential care home. The BZA advertisement, however, indicates that relief should be granted under Section 335.1, which is a youth rehabilitation home, the classification used in the 1983 CofO. The definition of "Community-Based Residential Facility" indicates that a youth rehabilitation home is for treatment of youthful offenders, a use that is of great concern to us. A youth residential care home, by contrast is a more benign use. According to Ms. Shore, the facility operates as a short-term youth residential care home, and does not provide treatment, therefore, Section 303 would seem more appropriate.

The Zoning Committee, a quorum being present, resolved as follows:

> To support an application for special exception pursuant to Section 303.1 to operate a youth residential care home facility for a total of 15 residents and rotating staff, with the proviso that the new certificate of occupancy will issue pursuant to Section 303.1 only, notwithstanding provisions of an earlier CofO and notice of application referring to Section 335.1.

The Committee was also made aware of a complaint from one of our members in the neighborhood of the premises about a recent instance of disturbing conduct by one of the residents. She complained to the staff and felt that they had addressed the problem promptly and she has had no further reason to complain. We are also aware that an owner of an abutting property has filed as an opposition party because the conduct of some of the residents has disturbed quiet enjoyment of his property. An increase of the number of residents could increase problems unless the residents are carefully supervised. Therefore, the Committee believes that approval should be limited to no more than five years so as to see if there will be adverse impact. We recommend that:

> **Approval be for a period of five years.**

Sincerely,

Lyle R. Schauer
Chair, Zoning Committee

BZA
Case No. 16622
Exhibit No. 29

Board of Zoning Adjustment
District of Columbia
CASE NO.16622
EXHIBIT NO.29