Advisory Neighborhood Commission 1C
PO Box 21652, NW, Washington, DC 20009
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Tuesday, November 26, 2002

Commissioners:

Chair
Andrew Miscuk (1C03)

Vice Chair
Mark Wright (1C02)

Treasurer
Josh Gibson (1C07)

Secretary
Pete Kleinpay (1C00)

Alan Roth (1C01)

John Bailey (1C04)

Jobi Jovanka-Magana (1C05)

Eleanor Johnson (1C06)

Dan Brody (1C08)

Mr. Geoffrey Griffis, Chairman
Board of Zoning Adjustment
441 4th Street, NW – Suite 210 South
Washington, DC 20001

RE: BZA Case No. 16955, Application of Spanish Education Center

(a) Report of ANC 1C in BZA Case No. 16955, Application of Spanish Education Center, pursuant to 11 DCMR 3104.1, for special exceptions for a child development center and private school (totaling 100 children ages two to ten years, 75 adult students, and a total of twelve staff) under sections 205 and 206, and pursuant to 11 DCMR 3103.2, a variance from the off-street parking requirements under section 2101, in the R-5-B District at premises 1840 Kalorama Rd., NW (Square 2553, Lot 826)

(b) A public meeting of ANC 1C to consider the above-referenced application was held Monday, November 18, 2002.

(c) Proper notice of said meeting was duly given.

(d) ANC 1C has nine members, and five members must be present to constitute a quorum. Six commissioners were present at the time that the vote was taken: Miscuk, Roth, Gibson, Bailey, Johnson, and Wright.

(e-1) ANC 1C concluded that the requested parking variance under 11 DCMR 3103.2 is justified by the "exceptional topographical conditions or other extraordinary or exceptional situation or condition" of the property (i.e., that there is no feasible access to the parcel for vehicular parking, due primarily to the fact that the rear yard of the property is located approximately 10-12 feet above the grade of the adjacent alley and is supported by an existing concrete wall along the alley). For that reason, strict application of parking requirements under section 2101 would impose "peculiar and exceptional practical difficulties . . . upon the owner." In light of the fact that the SED Center has operated the programs in question at this location for approximately 30 years, ANC 1C believes that this variance

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EXHIBIT NO.34

relief can be granted "without substantial detriment to the public good." In addition, because the Zoning Regulations provide in various ways for child and elderly development centers and private schools to be located within Residential Districts from R-1 to R-5, this variance relief can be granted, "without substantially impairing the intent, purpose, and integrity of the zone plan."

(e-2) ANC 1C concluded that the requested special exceptions under 11 DCMR 3104.1 are justified in that they will be "in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps" (see discussion above regarding child and elderly development centers and private schools being provided for within R-5 Districts). Because the SED Center has already being operating the programs in question at this location for approximately 30 years, ANC 1C believes that granting these special exceptions "will not tend to affect adversely the use of neighboring property," the owners of which purchased their property and moved in while the SED Center had already long been in operation.

(f) ANC 1C recommends that the above-mentioned special exceptions and variance be granted.

(g) ANC 1C voted 6-0 in favor of the foregoing recommending.

(h) This report may be presented to the BZA by Commissioner Andrew Miscuk (Chairperson) or Commissioner Josh Gibson (Single Member District 1C07, in which the property is located).

Please feel free to call me if you have any questions, 202-667-1488

Thank you for your consideration.

FOR THE COMMISSION,

Andrew James Miscuk
Chairman, ANC 1C