Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING--May 15, 1963

Appeal #7282 Mrs. Katherine Gunion, appellant for the Sheridan School contract purchaser.

The Zoning Administrator, District of Columbia, appellee.

On motion duly made, seconded and carried with Mr. McIntosh abstaining the following Order was entered on May 21, 1963: (released July 2, 1963)

ORDERED:

That the appeal to establish a private school for pre-school, kindergarten and grades 1 though 8 for Sheridan School on eastern half of square 1968, bounded by Yuma, Alton and 36th Streets, N. W., lot 816, square 1968, is granted.

As the result of an inspection of the property by the Board, and from the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's lot located in an R-2 District, has frontages of 295 feet on Yuma Street, 235 feet on 36th Street and 306.72 feet on Alton Place. It contains an area of about 70,000 square feet. The property adjoins a sixteen foot wide public alley and one dwelling on its west boundary. The remainder of square 1968 is improved with dwellings, a use which predominates in the area.

(2) The Sheridan School, Inc. the contract purchaser, plans to build an elementary school including pre-school and kindergarten through grade 8. Ages of the children will range from 4 to 14 years. Plans are to eventually enroll 200 students with approximately 50 in the kindergarten or of pre-school age. The school now operates in temporary quarters elsewhere in Northwest Washington with an enrollment of 125 students.

(3) Teachers are prepared to receive children between 8:30 and 9:00 a. The academic teaching day is from 9:00 a.m. until 3:00 p.m. There will be an athletic program between 3:00 and 4:00 p.m. for children from the 2nd through the upper grades. All children will leave the school at 4:00 p.m.

RECEIVED
D.C. OFFICE OF ZONING
2002 DEC -4 AM 10:25

BZA
Case No. 16977
Exhibit No. 9

Board of Zoning Adjustment
District of Columbia
CASE NO. 16977
EXHIBIT NO. 9

Play periods are supervised. Children will be brought to the premises by supervised transportation, which in the 1964 school year will be by hired bus service on a permanent basis.

(4) The curriculum is similar to public and parochial schools of this general class.

(5) The plans provide at least 100 square feet of play area for each child.

(6) The development plan for the property includes a two-story school building at the northeast corner of the tract with principal entrance from 36th Street. A one-story gymnasium to about the same height adjoins the main building on the west. Plans also provide a basketball court and a parking area for 12 (meeting requirements of Article 72) automobiles at the rear of the gymnasium. Two vollyball courts, a tennis court and a playground of 7,200 square feet for the pre-school groups are located to the south along the Yuma Street side of the property.

(7) Normal development of the subject site would result in the construction of about twenty one-family, semi-detached dwellings except that there is substantial testimony contending, but not specifically proving by direct evidence, that one-family development is uneconomical and hence impracticable due to a material amount of fill on a large portion of the site. Both the fact and the contention are conceded by witnesses in opposition.

(8) This appeal was filed under the provisions of paragraph 3101.41 and 3101.42 of Section 3101 of the Zoning Regulations. Subparagraphs (c) and (d) are the only portions of paragraph 3101.41 which are applicable; but all provisions of paragraph 3101.42 must be considered.

These provisions read:-

"3101.41 (c) The use will be reasonably necessary or convenient to the neighborhood which it is proposed to serve. The enrollment at such school will be limited primarily to children residing in that neighborhood; and

3101.41 (d) There shall be provided on the same lot with such use not less than 100 square feet of play area for each child.

3101.42 Other private school, but not including a trade school, and residences for teachers and staff of a private school, provided that:

(a) It is so located that it is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions;

(b) Ample parking space, but not less than that required in Article 72 of these regulations, is provided to accommodate the students, teachers, and visitors likely to come to the site by automobile. (As amended to June 14, 1960.)"

(UNDERSCORED WORDS ARE DEFINED)

(9) There was considerable organized opposition to the granting of this appeal registered at the public hearing, including two neighborhood Citizens' Associations. Opposition is based essentially upon contentions of incompatibility, objectionable traffic, and the desire of most that the property should be acquired for public use as a neighborhood playground.

OPINION:

We hold that this school, limited on this land to a maximum of 200 pupils, not more than 50 of whom may be a part of the kindergarten or pre-school groups is an appropriate use of this property. We believe and so hold that its size, type, plan of building and ground treatment together with natural and other screening which will be made a condition of this order, will result in the neighborhood compatibility envisioned by Section 3101.1 of the Zoning Regulations. Continuing with the general question of compatibility we note that traffic which will be generated by this school will be no more than that generated by any public or private school having the same number of [illegible]

the record to show that such schools have been found to be objectionable, to an extent which would prohibit their locations in a residential area in this and other sections of the city. It is possible of course that the operation of a school on this site will be more objectionable to adjoining and nearby property owners than single-family residences would be. However, public, private and parochial schools are found in every part, area and section of this city and are a public necessity.

It has been contended by objecting property owners that the location of this school on this site will result in objectionable traffic conditions. While we take judicial notice that both Albemarle Street and Reno Road are heavily traveled thoroughfares through this general area it is our opinion that the small number of automobiles and the hired bus service contemplated by the proposed school will not add materially to the present traffic flow on either of the streets referred to nor on other streets bounding or near the property. The supervision proposed should provide adequately for the safety of the children.

We agree with the contention of objectors that a site area of at least five acres for schools of this general character is a desirable standard but rarely attainable in the District of Columbia even when the use of eminent domain is possible. The site in question with its 70 odd thousand square feet of land area and limited number of students is considerably larger in extent than are most public and parochial schools new and old in the District of Columbia.

We are not unmindful that at one time the site was earmarked for public neighborhood playground usage, but we are now reliably informed that such use is no longer probable. This Board has also given some consideration to subsoil conditions existing on this site and to the

reason of excessive foundation costs which would make such construction unlikely even with a materially reduced cost of ground acquisition. A single purpose operation where buildings are minimal provides one solution for a difficult problem of land use.

This order shall be subject to the following conditions:

(a) In compliance with the provisions of subparagraph (c) of paragraph 3101.41 of the Zoning Regulations pre-school and kindergarten students shall reside within a ten block radius of this school. Further, the number of such students shall not exceed 50.

(b) Appellant shall provide a landscaping and screening plan which shall stress permanent year-round planting particularly along the west side of the property. Screening materials and type of planting shall be designated on such plan. Approval thereof shall be required by this Board prior to permit issuance.

(c) The maximum number of students shall be 200.

(d) In the event the school abandons hired bus transportation service and substitutes therefor buses of its own, such buses shall be housed in a garage, the design and location of which shall require approval of this Board.