FORM 121
APPLICANT'S BURDEN OF PROOF FOR VARIANCE AND SPECIAL EXCEPTION

1. Variance for parking from Section 2101.1 for a combined use Vocational / Technical School and a Child Development Center. (Section 3103.2)

1). *The physical characteristics of the property:*
a. Make it difficult for the owner to use the property in compliance with the Zoning Regulations (area variance) - i.e. Shape and size of the property, unusual topographic or slope, soil problems, etc.

Due to the existing size and configuration of the site, full compliance with the required amount of parking spaces cannot be achieved. The required parking is forty-three spaces. 9 spaces (8 standard and 1 handicapped accessible) are possible within the open site area available. The majorities of the students who will be attending the Bennett Career Institute live within the District of Columbia and do not own cars. Public transportation methods will be promoted to the students, faculty and staff. This site is two blocks from the Catholic University Red Line Metro Station and on several Metro bus routes.

Bennett Career Institute also proposes using the adjacent on street parking. Bennett Career Institute currently has an agreement with the shopping center owner at 680 Rhode Island Avenue for use of the commuter lot for any students driving to school. Bennett Career Institute will be providing a shuttle service from this commuter lot to the school.

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b. Creates financial hardship for the owner in using the property consistent with the Zoning Regulations (use variance).

Previously, the existing structure served as a dormitory, classrooms, and a chapel for an adjacent seminary, and currently the building stands vacant. Investing in the community and for cost effectiveness, Bennett Career Institute (BCI) is currently planning for the reuse of the existing building as a new home for their Private Vocational and Technical School (Bennett Career Institute) with a Child Development Center component. If this variance is not permitted it will create undue financial hardship because the Bennett Beauty Institute will not be able to use this facility for operating their program. The existing building, which is designed to accommodate a program of similar use, would have to be removed with a new structure of approved use constructed. The Bennett Beauty Institute has a long history of investing into their community. They have also spent several years and dollars looking for a new facility. This facility will meet their need and permit them to stay within their neighborhood.

2). *Granting the application will not be of substantial detriment to the public good - i.e. Traffic noise, lighting, etc.*

Granting this application will not be detrimental to the public good, on the contrary will meet many needs of this community. BCI will provide a high quality alternative to students for an array of technical programs, and BCI will also provide a local child development center. As part of the curricula, BCI also offers low cost hair styling, haircuts, and

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Board of Zoning Adjustment
District of Columbia
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Subsection 3103.2:

1). How the proposed special exception will be consistent with the general intent and purpose of the Zoning Regulations and Map?

700 Monroe Street, NE is located at the exact confluence of several different zoning uses. The site is zoned R4, but the site is bounded by properties zoned R-5-A, C-1 and C-M-1. Monroe Avenue separates the site from the adjacent property zoned R-4, and Michigan Street NE separates it from the sites zoned R-5-A. Contiguous land area is zoned C-1 and C-M-1. The use requested within this application is permitted by right under the C-1 and C-M-1 zoned areas. Similar uses, or public schools and child development centers, are permitted within by right or by special exception, within the R-4 and R-5-A zoned areas. The approved previous use for this site was a private school dormitory and classroom building. Due to this evidence, it is our professional opinion that granting of this application would be in complete agreement with the intent and purpose of the Zoning Regulations and Maps.

Speaking with Jennifer Steingasser and Karen Thomas of DC Office of Planning, we were informed that the long-term DC Zoning Comprehensive Plan for this site is for it to be rezone to C-1 use. When this is completed, the Bennett Career Institute will be a permitted use.

2). How allowing the use will not adversely affect the use of the neighboring property - i.e. traffic, noise, lighting, etc?

Granting this application will not be detrimental to the public good, on the contrary will provide many needed uses to this community. BCI will provide a high quality alternative to students in this community for an array of technical programs. BCI will also provide a local child development center to this community. The hours of operation of the school are in keeping with those of the adjacent Catholic University and Lutheran House of Studies Seminary and as such will not change the living environment of the immediate neighborhood. Due to the proximity and proposed use of public transportation, the traffic in and around the school is expected to be minimum, with the on site parking providing much of the parking needs. Exterior building lighting will be directed at the building signage areas only, and parking lot lighting will be at the building rear illuminating at approximately five foot-candles with minimal light noise and spilage. The majority of the site lighting will be the existing city streetlights currently in use.

Bennett Career Institute also proposes using the adjacent on street parking. Bennett Career Institute is currently pursuing alternate parking locations in the vicinity.

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Under the previous BZA application 16985, the Washington DC Department of Transportation (DDOT) reviewed the future traffic condition and indicated no objections to the proposal if the applicant adopts measures to ensure that on-street parking is not increased, by encouraging attendees to Use Metro and other means of public transportation.

3). *Granting the application will not be inconsistent with the general intent and purpose of the Zoning Regulation and Map.*

700 Monroe Street, NE is located at the exact confluence of several different zoning uses. The site was recently rezoned C-1 (from R-5) , and is bounded by properties zoned R-5-A, C-1 and C-M-1. Monroe Street NE separates the site from the adjacent property zoned R-4, and Michigan Avenue NE separates it from the sites zoned R-5-A. Contiguous land area is zoned C-1 and C-M-1. Due to this evidence, it is our professional opinion that granting of this application would be in complete agreement with the intent and purpose of the Zoning Regulations and Maps.