

	<p align="center">ADVISORY NEIGHBORHOOD COMMISSION 3C GOVERNMENT OF THE DISTRICT OF COLUMBIA <i>CATHEDRAL HEIGHTS • CLEVELAND PARK •</i> <i>MASSACHUSETTS AVE. HEIGHTS</i> <i>MCLEAN GARDENS • WOODLEY PARK</i></p>
<p><i>Single Member District Commissioners</i> 01-Lee Brian Reba * 02-William Kummings * 03-Anne Marie Bairstow 04-Roger Burns * 05-Leila Afzal * 06-Trudy Reeves * 07- Victor Silveira 08-Catherine May * 09-Nancy MacWood</p>	<p align="right">4025 Brandywine Street, NW Washington, DC 20016-1843 Website http://www.anc3c.org Email all@anc3c.org</p>

ANC 3C Resolution No.2010-010

Resolution on BZA Case No. 18071, Special Exception and Variance to Allow Ballet School Student Housing and Office Use in Single Family Home

WHEREAS The Washington Ballet has conducted its renowned ballet school at 3515 Wisconsin Ave., NW in the Cleveland Park neighborhood for decades and has been considered an asset to the neighborhood; and

WHEREAS The Washington Ballet owns the adjacent residence at 3704 Porter Street, NW, which has three floors plus a basement and has been used as a residence for the founder, Mary Day, and more recently as a residence for visiting students and teachers; and

WHEREAS The Washington Ballet (“Ballet”) seeks to expand the use at 3704 Porter Street to allow a ballet school faculty member to reside in the house and serve as the house mother and to allow a ballet school visiting teacher to also reside in the house; and

WHEREAS the Ballet needs a special exception (Sec. 302.1) in an R-2 residential zone district to allow private school teachers to reside in a single family home; and

WHEREAS the standard for review is whether the use would likely become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions, and whether there would be ample parking spaces to accommodate those living in the house and visitors (Sec. 206); and

WHEREAS there is high demand for the shared on-site parking for the residents and visitors to 3704 Porter Street and the ballet school and it is likely that additional residents could increase the demand for parking and cause spillover parking demand for scarce on-street spaces; and

WHEREAS the Ballet also seeks to expand the use at 3704 Porter Street to allow up to 7 out of town ballet students to reside in the house and accordingly the Ballet is seeking a variance (Sec. 3101.2); and

WHEREAS the standard for review that would be applied in these circumstances is whether there is an extraordinary or exceptional situation that would cause the strict application of the zoning regulations to result in peculiar and exceptional practical difficulties or exceptional and undue hardship upon the owner of the property, and whether the variance can be granted without substantial detriment to the public good and without impairing the intent, purpose, and integrity of the zoning regulations and map; and

WHEREAS the ballet-owned residence next door to the ballet school provides an efficient, economical, and supervised location for out of town ballet students, who are generally between 16 and 19 years of age and who pursue a rigorous course of study and performance; and

WHEREAS the Ballet has submitted to Advisory Neighborhood Commission 3C ("ANC 3C") the agreement between the Ballet and the resident house mother (attached) and the rules that apply to any ballet students living in the Porter Street residence (attached); and

WHEREAS ANC 3C is not aware of any objectionable conditions that have arisen over the many years that the Ballet has occupied the Wisconsin Avenue school building or the Porter Street residence; and

WHEREAS parking issues could create objectionable conditions:

BE IT RESOLVED that for all the reasons stated above ANC 3C finds that it is unlikely that any objectionable conditions would arise from granting the special exception and that granting the use variance would have no negative impact on the application of the zoning regulations or map nor result in substantial detriment to the public good as long as the condition below is included in zoning order and that not granting the variance would result in undue hardship on the owner who would not be able to fully use the residence to accommodate out of town students who might not be able to attend the school without this unique residential opportunity;

THEREFORE BE IT RESOLVED that ANC 3C supports the Board of Zoning Adjustment granting the special exception and use variance to The Washington Ballet, with the following condition

- that students residing in the 3704 Porter Street residence may not bring cars to the campus;

BE IT FURTHER RESOLVED that the Chair and the Commissioner for SMD 3C09 are authorized to represent ANC 3C on this matter.

Attested by

Chair, on May 17, 2010



Anne-Marie Bairstow

This resolution was approved by a vote of 9-0 on May 17, 2010 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.