

**District of Columbia Board of Zoning Adjustment
Public Hearing on Application No. 18445
Tuesday, November 13, 2012
Written Testimony of Patience R. Singleton**

Good morning,

My name is Patience Singleton and I reside at 1316 Tuckerman Street NW. I am testifying today in opposition to the Board of Zoning Adjustment Application No. 18445, which has been submitted on behalf of Ms. Ana Maria Lora-Garcia. I oppose this application for a special exception for a child development center under section 205 on both procedural and substantive grounds. In short, Ms. Lora-Garcia has not provided sufficient notice to her neighbors throughout this process and the current operation of the facility has had objectionable impacts on adjacent and nearby properties which will likely grow if the number of the facility's children increases. These are objectionable circumstances which should disqualify the zoning adjustment.

With regard to the procedural concerns, Ms Lora-Garcia failed to post a notice of the public hearing on her property in accordance with BZA rules of practice and procedures and had not filed an affidavit of posting as of Friday, November 9th. Instead of posting the sign a minimum of 15 days prior to the date of the public hearing, she placed the sign in the front window of her property on Thursday, November 8th, just five days ago. And by the way, the sign was missing the morning and early afternoon of Saturday, November 10th. I have attached photos to my statement of the property with dates and times stamped.

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18445
EXHIBIT NO. 37
Board of Zoning Adjustment
District of Columbia
CASE NO. 18445
EXHIBIT NO. 37

I also strongly oppose expanding Ms. Lora-Garcia's facility to accommodate additional children given that neighbors have already experienced objectionable and unsafe traffic conditions due to her home-based childcare center. Neighbors have witnessed Ms. Lora-Garcia's clients parking on the wrong side and direction of the street on numerous occasions. In addition, a parent was seen violating the law and endangering a special needs child on the block by driving her car around a stopped DC school bus for disabled children. Lastly, a neighbor complained that a parent left her car in the middle of Tuckerman Street and blocked traffic flow after a snowstorm for more than 10 minutes while she picked up her child.

Despite assertions to the contrary, there is very limited available street parking at 7:30 am and between 5:30 and 6:30 pm. In fact, prior to Ms. Lora-Garcia's application, a neighbor circulated a petition to request the city to add permit parking to the street to ensure that residents have available parking. There are no assurances that these objectionable practices related to the daycare will end and no real means to enforce Ms. Lora-Garcia's promises if the special exception is granted.

In sum, I strongly oppose Ms. Lora-Garcia's application. Despite pro bono legal assistance and technical assistance provided by a nonprofit organization seeking to expand home daycare options in residential neighborhoods, Ms. Lora-Garcia has not provided the requisite notice of this hearing to her neighbors. More importantly, she has operated her facility in a manner that has had negative impacts on parking, traffic, and

safety in the neighborhood. Given this history, it would set a bad precedent for the BZA to reward Ms. Lora-Garcia with a special exception to expand her facility's capacity.

The BZA has a responsibility to uphold the integrity of the residential character of this Brightwood neighborhood, as it does throughout the city. On behalf of my neighbors and me, I urge the BZA to reject the zoning adjustment for this daycare expansion on Tuckerman Street.



11/10/2012

