

BZA Case 18471
P. Kenneth Jadin
Testimony

My name is Patrick Kenneth Jadin. I am a retired Professor of Architecture from Howard University's School of Architecture and Design, where I taught courses in Architecture, the Environment and Urban Design for 33 years. I also taught similar courses at the University of Maryland for 7 years. I am writing in opposition to the Request For A Use Variance, (BZA Case #1871) by the UNMC church at 16th and S Streets N.W. to allow the Spooky Action Theater to operate a commercial theater in its basement auditorium.

My wife and I live at 1614 S Street, N.W. Our house is across the street and a little west of the UNMC church. See Map. We have lived here for over 38 years and have not had any problems with UNMC church activities until the Spooky Action Theater began renting its basement auditorium a couple of years ago.

Our home life has been and will continue to be disrupted by the incursion of a 225 seat commercial theater in our (and the church's) residential R-5-B zone. Our living, sleeping, and study spaces front on S Street. The increased pedestrian traffic to and particularly from the theater pass right by our six foot by six foot front windows. The groups leaving the theater are more animated and the noise is quite disturbing. If this application for a use variance is approved, these negative impacts will be increased.

An applicant must satisfy three requirements to be granted approval of use variance in a R-5-B zone. The Office of Planning report on this case finds that the applicant does not satisfy them. I will not repeat the basis of that finding but just add a few pertinent observations.

What UNMC is claiming as extraordinary and exceptional conditions of its property leading to undue and exceptional hardship, seems more like normal required maintenance. The church has used its property, including its building, since its construction in 1930 and has maintained it throughout, just like residential property owners in the neighborhood. At least three residences on the south side of the 1600 block of S Street have re-mortared their front masonry facades in the last year.

In considering a use variance, concern must be given not only for the present conditions but also for those of the future. The Applicant cites small current attendance at theater performances to minimize its impact. But a commercial theater is an intense public use with significant negative impacts on its neighborhood. Now, and even more so in the future a commercial theater with a seating capacity of 225 patrons and no limit to amount of use will impose a substantial detriment to the public good of its residential neighbors.

DEC 11

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18471
Board of Zoning Adjustment
EXHIBIT NO. 18471
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EXHIBIT NO. 42

