

Government of the District of Columbia
Board of Zoning Adjustment
441 4th Street, NW
Suite 200/210-S
Washington, DC 20001

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November 23, 2012

Dana Keeney
1726 Park Road, NW
Apt 1
Washington, DC 20010

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18475
EXHIBIT NO. 23

Regarding Application Number 18475

Ladies and Gentlemen of the Board of Zoning Adjustment,

I oppose the application of The Preparatory School of D.C. for a special exception to allow an increase in the number of child development center students from 15 to 29 students at premises 3220 17th Street, NW (Application Number 18475).

I have lived on the 1700 block of Park Road, across the alley from this business, since 1987. This business has consistently been both a nuisance and a bad neighbor since the day it opened.

Knowingly ignoring city zoning regulations

To begin with, it should be noted that the owner of this business has knowingly ignored the city's zoning regulations limiting the number of children that could be served at this location for years in order to maximize their profits and with no regard for the safety and welfare of the children or the impact on the neighbors. (Please refer to Application No. 15747 of John Redmond for 1636 Kenyon Street NW to increase the capacity of that daycare from 15-45. This was the same building owner and same daycare owner as when she began operation and was only 2 blocks away from the current location.)

The only reason they are now applying for a special exception is because their illegal operation was detected during a recent city inspection of the property.

Inconveniencing and disrespecting neighborhood residents

For years this business has permitted their customers to drop off and pick up their children through a door that opens into the alley off of Park Road, effectively blocking the alley during both the morning and evening rush hours, and greatly inconveniencing the people who live on this and the adjoining block. Not only do they park their cars and block the alley, at times they linger to chat, play their music at high volumes, and throw their trash onto the ground.

Following a DCRA inspection this summer, the day care center applied for a special zoning exception and has, at least for the time being, stopped letting parents use the alley entrance. The staff and their friends continue to park their cars in the alley, blocking the alley, and lingering outside to smoke while playing their music loudly, talking loudly, and in general disturbing the peace and tranquility of what is otherwise a quiet residential block.

Endangering staff and children

There is also a significant safety issue regarding the regular use of the day care center door that opens into the alley. This door opens directly into the ally, with virtually no setback, and someone opening it from the inside cannot see if a car is coming without fully opening the door and sticking their head out. This in itself creates a

Board of Zoning Adjustment
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dangerous situation for the staff and children that come through that door into the alley. I believe that this alley door is unsafe for regular use, and should be equipped with some sort of an alarm and only used in case of a real emergency, not as a regular entrance or exit to the business.

Staff member who is legally forbidden to work with children

Perhaps the most troubling issue is that this business has for years had someone working with the children (the mother of the owner) who is legally forbidden to work with children due to her involvement in a child neglect proceeding. This is being done with the full knowledge of the business owner, once again demonstrating her absolute disdain for both the law and for the welfare of the children.

In summary

The Preparatory School of DC is a rogue business that has knowingly ignored city laws, greatly inconvenienced residents who live nearby, and potentially endangered the welfare of the children in their care by:

- knowingly ignoring city zoning regulations in order to maximize their profits
- potentially endangering the children in their care by accepting far more children than they were legally zoned to care for
- knowingly having a person on staff that is legally forbidden from working with children due to her involvement in a child neglect proceeding
- greatly inconveniencing nearby residents by permitting their customers to use an alley door to drop off and pick up their children, effectively blocking the alley with their cars
- endangering their staff and the children by routinely using an alley door for entering and existing the business rather than the front door to the business
- permitting their staff to use the alley as an area to park their cars, take cigarette breaks, and to talk loudly and disturb the peace and tranquility of the nearby residents

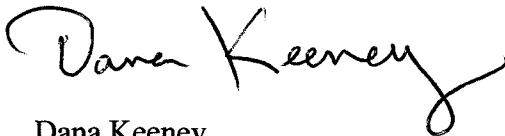
And to top it off, if they had not been caught they would have continued to do all of this for the foreseeable future.

Please, no favors for bad players

The Preparatory School of DC has ignored and evaded city laws, endangered children, and disrespected neighborhood residents for years, and they have done nothing to merit any special consideration.

Approving this request for a special exception would essentially condone and reward their illegal and outrageous behavior, and would also set a dangerous precedent where other businesses that choose to ignore city zoning laws and endanger children could cite this application as the reason their requests should also be approved.

I hereby respectfully request that the Board of Zoning Adjustment deny Application Number 18475 for a special exception.

A handwritten signature in black ink, reading "Dana Keeney". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Dana Keeney

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



OCT 18 2012

APPLICATION NUMBER 18475
TO WHOM IT MAY CONCERN:

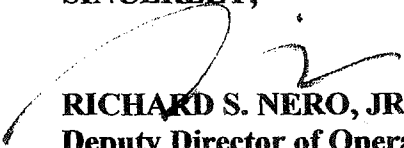
Notice is hereby given that the Board of Zoning Adjustment will hold a public hearing at 441 4th Street, N.W., Suite 220 South, Washington, D.C., 20001 on Tuesday, December 18, 2012, on the following application:

Application of The Preparatory School of D.C., pursuant to 11 DCMR § 3104.1, for special exception to allow an increase in the number of child development center students from 15 to 29 students under section 205, in the R-5-B District at premises 3220 17th Street, N.W. (Square 2607, Lot 2023).

At the public hearing, all interested persons will be given an opportunity to express their views. However, in lieu of appearing at the hearing you may also submit written views about this case. All written views should be sent to the address below, and must be received by the Board before the hearing on the case is concluded. Except for the affected ANC, any person who desires to participate as a **party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public.** If you are unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at dcoz@dc.gov or at (202) 727-6311.

Persons seeking party status shall file with the Board, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Request form, a copy of which may be downloaded from the Office of Zoning's website at: <http://dcoz.dc.gov/services/app.shtm>. This form may also be obtained from the Office of Zoning at the address stated. This application is located within the boundaries of Advisory Neighborhood Commission 1D. This application will be heard between 9:30 a.m. and 12:00 p.m. If you have any questions about this application, please call the Office of Zoning on (202) 727-6311, or visit the office at 441 4th Street, N.W., Suite 200 South, Washington, D.C. 20001. Please refer to the application number when you write or call about this case.

SINCERELY,


RICHARD S. NERO, JR.
Deputy Director of Operations
Office of Zoning

441 4th Street, N.W., Suite 200/210-S, Washington, D.C. 20001

Telephone: (202) 727-6311

Facsimile: (202) 727-6072

E-Mail: dcoz@dc.gov

Web Site: www.dcoz.dc.gov