4915 Ashby Street, NW
Washington, DC 20007
March 20, 2002

Board of Zoning Adjustment
441 4th Street, NW
Suite 210-S
Washington, DC 20001

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Re: Application Number 16852

To the Board:

Our names are Howard E. Fenton and Nora E. Carbine, and we are married and live at 4915 Ashby Street, NW, Washington, DC 20007.

We are hereby requesting party status in opposition to the application of St. Patrick's Episcopal Day School to special exception to allow a private school having 60 students, grades 7 through 9, under section 206, in an R-1-B District at premises 4925 MacArthur Boulevard, NW, Square 1393, Lot 823.

We intend to appear as opponents, but if we are not able to appear in person we are hereby submitting this letter to be made part of the record.

We are not represented by counsel.

We should be granted party status because we own and live on property within 200 feet of the intended school property. Our property is essentially catty-corner from the intended school property. The intended school property has a driveway on Ashby Street, and our property is across the street from that driveway, and is the second house up the hill from that driveway.

Approval of the application would affect us negatively because:

Traffic

The school's plan claims a maximum of 60 students, although school officials have also mentioned housing more students at the facility at various times. Nearly half of the school's current students come from outside DC. There is no subway service in the neighborhood. Students will be dropped off either at the Ashby Street property, or at the already heavily trafficked school property on Whitehaven Parkway and then be bused to Ashby Street. It is hard to believe that parents would fight traffic snarl-ups to drop students off at the already backed up Whitehaven campus, as the school claims, when they would perceive a far easier drop-off on MacArthur Blvd, Ashby Street or another near-bye location. But if they do use the Whitehaven drop-off, the increased traffic flow will negate or reduce any benefits gained by the proposed redesign of traffic flow on Whitehaven.

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EXHIBIT NO.32

Approximately 8 -15 faculty and staff (the actual number has varied in school presentations at different community meetings), plus additional vendors and other visitors during the day, will be parking at the facility or on neighborhood streets that currently are not covered by zone parking, including Ashby Street. If cars park on both sides of Ashby Street, which is legal, there is barely enough room for one car to pass through. Parking on Ashby Street for the extra cars the school would bring to the neighborhood would create a safety problem in that fire trucks and emergency vehicles would not be able to pass through. With the large number of retirees and elderly people in this neighborhood, peoples' lives would be at risk.

Another safety concern brought about by increased traffic is that Ashby Street has hardly any sidewalks. People walk in the road by necessity. Students and other pedestrians would be in danger because of increased traffic and parking. It is important to note that there is a lot of pedestrian traffic on Ashby Street at the time people would be arriving for school because of commuters and students walking to the bus stop on MacArthur Blvd, dog walkers, joggers, etc. These pedestrians, including my wife and me, would be at risk by an increase in traffic. Ashby Street is already used by a lot of neighborhood cars because it is a major access route to MacArthur Blvd for cars coming from Foxhall Village and other parts of the Berkeley neighborhood between MacArthur Blvd and Foxhall Road.

If the school uses buses to transport students from the Whitehaven campus to the intended Ashby Street campus, it will bring increased noise and air pollution to the neighborhood and cause traffic backups on MacArthur Blvd or Ashby Street, depending on where the buses drop off and pick up students. Traffic would be required to stop behind the school buses on MacArthur Blvd. or in all directions on Ashby Street during rush hours and at other times when the buses discharge or pick up students. We would expect drivers to use other neighborhood streets in order to avoid the delay in waiting for students to board or exit the buses. These neighborhood streets and major commuter routes do not need such additional traffic back-ups to accommodate this school. Traffic is already at or beyond capacity on MacArthur Blvd during morning rush hour, as shown by the traffic back-ups caused by other neighborhood schools along the route between Arizona and Foxhall, including the back-up at an already grid-locked Whitehaven at morning arrival time. School officials claim it would only take a minute for students to exit or board the buses. Although we believe it would take adolescents longer than a minute to board or exit the buses, even if it is true, a minute is a long time for people to sit patiently in their cars with motors running and polluting. Commuters rushing along MacArthur Blvd. tend to be in a hurry.

Noise

In addition to the traffic noise, a school by its very nature will be noisy. Students yell and scream. That's a fact, and it is normal. This neighborhood, already under siege by the

increased airplane noise created by the new flight path for National Airport and increased number of flights, does not need the addition of 60 or more normal adolescents. School officials have stated they intend to teach with windows open on nice days. While this would be nice for students, classroom noise would thereby seep into the neighborhood. This is in addition to noise at arrival and departure times, recess, lunch, etc.

It is also important to note that in its literature stating the benefit the school would bring to the neighborhood, St. Patrick's mentioned student leaf blower brigades. A large number of students using leaf blowers would drown out even the airplane noise.

By necessity, there will be increased garbage pick-ups at the school. Garbage trucks, early in the morning, will cause even more intolerable noise. (If the frequency of garbage pick-ups does not increase, there will be rat and other vermin problems.) We recognize that school officials have proposed that school employees will take garbage each night in their cars to the Whitehaven campus in lieu of using early morning garbage pick-ups, but we find this offer to be unrealistic. After all, this will be a school of some 60 or more students plus staff. Such numbers create a lot of garbage, including food waste.

School officials have also at times mentioned putting up a basketball hoop for students to use during breaks, etc. This creates even more noise for the neighborhood, and would no doubt be used by others when school is not in session.

St. Patrick's will by necessity have to renovate its facilities in order to accommodate the school. While construction noise can't be avoided even in a residential neighborhood, this is a private educational institution being built, and construction and repairs will no doubt be more on-going than if residential property were constructed and maintained at the site. In addition, construction workers and other institutional maintenance and repair staff would create additional parking and traffic congestion in the neighborhood.

Difference from Current Use

Currently the Ashby Street facility is used as a meeting/training place by the Washington Psychoanalytic Institute. They use the facility on Thursday evenings and Saturday mornings. They do not use it in the summer. The increased traffic and parking in the neighborhood caused by this limited use (twice a week and not at all during the summer), although sometimes annoying when our driveways are blocked and the street parked on both sides, is very tolerable. This is far different from a new use by a school of some sixty or more students five days a week, all year long. We knew of the use by the Washington Psychoanalytic Institute when we moved here. We had no expectation that the facility might someday be used for such a different use by a private school.

Prior to use of the property by the Washington Psychoanalytic Institute, our understanding is that the facility was used by The German School, which had far fewer

students than the sixty or more intended by St. Patrick's. When The German School tried to expand, the Board of Zoning Adjustment, we are told, did not approve it because of traffic and other considerations. Traffic is even worse now than when The German School was at the location, and it is hard to see how a school of 60 or more students now warrants zoning exception approval.

The intended use of the facility by St. Patrick's as a school is completely different than its current use or even its past use. It will bring far more traffic, congestion, garbage, pollution, and noise to the neighborhood on a daily (except weekends and school holidays) basis, including summer. Granting the zoning exception application would set a new and unfortunate precedent for development in residential neighborhoods.

Economic and Social Impact

It is hard to imagine any social or economic benefit to our community if this property is converted to a junior high or high school. The school would not pay property taxes. A large percentage of its students come from the suburbs, not DC. Local businesses would not benefit greatly. Most of the immediate neighborhood residents are retirees, soon-to-be retirees, or people whose children are grown. A private school will serve only those few local families who have adolescent children and who can afford to pay the school's tuition. The interests of these few families should not outweigh the interests of the neighbors in this residentially zoned community. The zoning laws are supposed to protect residential neighborhoods from such development. It is not as though there are no other possible sites for this private school. School officials are already exploring sites for a senior high school.

We personally would expect our own property value to decrease since our house is too small to be desirable by a family with children who might be attracted to living next door to the school. Instead, we expect our property would be harder to sell because of its vicinity to a school. In addition, our liability insurance could be raised because of the increased number of children brought into the neighborhood to attend the school.

St. Patrick's' Lack of Credibility

St. Patrick's has not earned the trust of the neighborhood. Originally, school officials claimed the facility would only house sixty 7th and 8th graders. Now they want to add a 9th grade, and they have stated elsewhere at community meetings they envision teaching even more than sixty students at the facility. Only recently the school offered to sign a covenant with some neighbors to limit the number of students to sixty. We have no desire to enter into such a covenant and incur future legal costs to enforce it. Furthermore, as stated by an architect at the Palisades Board meeting and teachers with experience teaching junior high school age students, the site is simply inadequate in size and space for teaching sixty or more adolescents.

Originally, school officials said there would be no summer school, now there will be. The size of the faculty and staff changes depending on the date and forum of the presentation. Based on the school's history of expansion on Whitehaven, neighbors are legitimately concerned that St. Patrick's will gobble up other property in the neighborhood for further expansion, or violate its professed intention to maintain the architectural integrity and current green environment of the site. St. Patrick's' story continually changes. It is reasonable that some change would come as the proposal develops and is refined over time, but these major changes, all to facilitate larger numbers of students and continual expansion, are intolerable.

Our fear is that once St. Patrick's is allowed into the neighborhood, it will continually push expansion, seek more and more exceptions, and violate any limits imposed by the Board of Zoning Adjustment with little fear of adverse consequences. Also, other schools could push for similar exceptions to build in the neighborhood. We do not have the resources or inclination to fight such expansion continually. Approval of this petition by St. Patrick's will open the door to further erosion of the residential nature of this community.

Conclusion

In conclusion, we are opposed to the St. Patrick's application. It provides only hardship to our family. We see little or no benefit to our neighborhood or the community at large. We have existed quite well without a St. Patrick's Junior High School in our neighborhood. The school will only benefit the Church and those few families, many of whom are from the suburbs, who can afford to send their children to the school. They are the ones, understandably, in favor of the school. The immediate neighbors (as well as commuters) by and large will not benefit from a zoning exception in favor of this school. This is a residential neighborhood and is zoned as such. If people are to rely on the zoning laws for their protection from unwanted development, St. Patrick's' application for an exception must be denied.

Please include this letter as part of the record in this matter.

Sincerely,

Howard E. Fenton and Nora E. Carbine