Government of the District of Columbia

OFFICE OF ZONING

MAY 0 7 2003

441 4TH STREET N W
SUITE 210
WASHINGTON D.C 20001
(202) 727-6311

ST. PATRICK'S EPISCOPAL DAY SCHOOL (MacARTHUR BOULEVARD CAMPUS) 4925 MacARTHUR BOULEVARD, N.W ., WASHINGTON D.C. 20007.

Dear Sir/Madam,

RE: BOARD OF ZONING ADJUSTMENT ORDER #16852
4925 MacArthur Boulevard, N.W.

This is to inform you that two separate complaints have been filed against the above property of reference alleging non-compliance with a Board of Zoning Adjustment condition of approval, to which it is subject, pursuant to Order No. 16852. Specifically, the complaint alleges non-compliance with condition number three (3) of the requisite Order, which in whole sates as follows:

> " The applicant shall schedule all deliveries to the subject property to occur between 9:30 a.m. and 4:00 p.m., Monday through Friday".

The first complaint, filed April 28, 2003, alleges that on April 9, 2003, two trucks made deliveries of heavy equipment at 5:45 a.m. to the subject site in violation of condition number three (3) of the referenced Order. The complainant, as an attachment to the complaint form, provided a copy of a letter on Uniwest Construction, Inc. letterhead, dated April 11, 2003, and signed by Mr. John Klakamp, as proof of applicant's admission of a violation of this specific condition. The second complaint, filed May 2, 2003, alleges an intent to violate the same condition, beginning May 5, 2003, in the course of pre-construction activity as outlined in a May 1, 2003 memorandum on St. Patrick's Episcopal Day School letterhead, to the "Neighbors of 4925 MacArthur Boulevard".

This letter serves as notice that the Office of Zoning is investigating these alleged violations and to remind you that the validity of the subject Board of Zoning Adjustment Order is predicated on a termination clause that penalizes the violation(s) of the same condition on three occasions within five (5) years, pursuant to condition number twenty (20). If investigations affirm and confirm that these incidences constituteviolations of the same condition, the office will initiate a collaborative dialogue

BZA
Case No. 16852
Exhibit No. 353

Board of Zoning Adjustment
District of Columbia
CASE NO.16852
EXHIBIT NO.353

amongst all stakeholders to address ways of achieving unbroken compliance with all conditions of the Board of Zoning Adjustment Order number 16852. For further assistance and to facilitate a meeting and/or inspections of the subject premise, you may contact Toye Bello, Compliance Specialist at (202) 727-0349. Thanking you in advance for your cooperation.

SINCERELY,

JERRILY R. KRESS, FAIA
Director

Attachment

cc: John W. Finney, Chairperson & Commissioner
Advisory Neighborhood Commission 3D04
Palisades Station
Washington, DC 20016

Alma Gates
4911 Ashby Street, N.W.
Washington, D.C. 20007

Lawrence Skrivseth & Cathy Wright
4913 MacArthur Boulevard, N.W.
Washington,k D.C. 20007

Nancy Feldman
4911 W Street, N.W.
Washington, D.C. 20007

Katherine VanSickle DeMallie
4923 Ashby Street, N.W.
Washington, D.C. 20007

Ellen McCarthy, Deputy Director
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Shaw Pittman
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Charles and Sharon Houy
4922 Ashby Street, N.W.
Washington, D.C. 20007

Zoning Administrator
Building and Land Regulation Administration
Department of Consumer and Regulatory Affairs
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Alan Bergstein, Esquire
Office of Corporation Counsel
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Katheleeen Patterson, City Councilmember
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