Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3-D
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D.C. OFFICE OF ZONING
2003 DEC -3 AM 11:20

Nov. 29, 2003

Mr. Richard Nero

D.C. Office of Zoning

441 4th St., NW, Room 210

Washington, D.C. 20001

Dear Mr. Nero:

I am in receipt of the Nov. 26 letter from Allison Prince to you in which she argues that in its order # 16852, BZA made a "technical error" or "clerical error" in advertently stating that "use [of the new middle school of St. Patrick's] must be established within six months."

I am not sure that the BZA stipulation was inadvertent or a "clerical error," as argued by Ms. Prince. It is my memory that the record is replete with statements by St. Patrick representatives that the renovation of the building would be completed within six months, and I suspect that the BZA stipulation but reflects those statements.

Nor do I agree with the suggestion in Ms. Prince's final paragraph that the "clerical error" can be corrected by a BZA clerk using a little white-out to expunge the six-month stipulation and replace it with some two-year clause. It seems to me that the six-month stipulation was included in a formal order approved by the BZA, and if that order is to be changed, then it should be by the Board itself in a formal proceedings, with opportunity for interested parties to be heard.

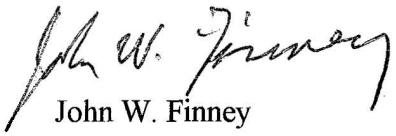
I should point out that the renovation of the building at 4925

BZA
Case No. 16852
Exhibit No. 369

Board of Zoning Adjustment
District of Columbia
CASE NO.16852
EXHIBIT NO.369

MacArthur has been more extensive and taken longer than many of us had expected at the outset, including, I suspect, the school itself. The construction has imposed hardships upon the neighbors, and they are entitled to a date certain for end of construction rather than some indefinite two-year period before the school has to apply for a certificate of occupancy. If the school needs a few additional months to complete the renovations, then it seems to me the school, in a straight-forward way that breeds mutual trust between school and neighbors, should come to the BZA asking for an extension, rather than relying upon some legal legerdemain that the Board made a "clerical error" than can easily corrected by staff.

So I do hope the BZA staff does not accede to Ms. Prince's request but rather refers the matter to the Board for its consideration.



John W. Finney

ANC3D04

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