4915 Ashby Street, NW
Washington, DC 20007
February 5, 2004

Mr. Geoffrey Griffis, Chairman
District of Columbia Board of Zoning Adjustment
441 Fourth Street NW Suite 210-S
Washington DC 20001

RE: St. Patrick's School– 4925 MacArthur Blvd.
Opposition to Request for Clarification or Modification of
BZA Order No. 16852

Dear Mr. Griffis and Members of the Board:

We are neighbors of St. Patrick's School at its controversial location on MacArthur Boulevard. We live within 200 feet of the site. We oppose the request for clarification or modification of BZA Order No. 16852. We base our opposition on the following:

The extra, unauthorized construction needed to create habitable space in the basement subjected this residential neighborhood to additional noise and pollution. The lengthy and unauthorized construction period also caused the site to lose vegetation that somewhat sheltered the neighborhood from the site. If the school replaces the lost vegetation, which it should, we will be subjected to even more noise and pollution while that happens, besides that which is already scheduled this spring to complete the rest of the construction. This is a neighborhood of many retirees who were effectively exiled from their homes during the unauthorized construction. Noise from the construction machinery at times could be heard at least three blocks away. It could be heard in the library. There was no escape. This was not a minor violation.

Construction was originally anticipated to last approximately three months. We are at seven months and counting. During this time, the school and its contractor violated agreed-upon construction protocols with the neighborhood. On one occasion, when neighbors complained to the construction crew about its working 3 hours past the time it was supposed to cease, we were told we should move out.

Allowing the modification to the order, without punishment or other conditions, would be a mockery of the Zoning Board and the rule of law.

The school has stated already to neighbors that it will seek to increase the number of students by 50%, from the 40 currently authorized to 60. Because of the unauthorized construction, it can claim to have space for even more students. It will have duped the neighborhood and the BZA into allowing the expansion by virtue of its improper actions.

BZA
Case No. 16852
Exhibit No. 388

Board of Zoning Adjustment
District of Columbia
CASE NO.16852
EXHIBIT NO.388

We have no reason to doubt that having the music room in the basement would be preferable to where originally intended, from a noise standpoint, now that the space has already been created. But, we have not inspected the premises to make a fair determination. Hopefully you will inspect before granting the modification if you are inclined to grant it. In addition, if you grant the modification, in the interest of fairness and justice, you should do so only with the imposition of real and enforceable conditions to prevent further abuse, with punishment in the way of fines or compensation to the neighborhood for having to endure the unauthorized construction, and with conditions that prevent expansion or amended conditions for at least five years. The neighborhood needs a respite from the continuing onslaught of this school and its expansion.

Sincerely,

Howard Fenton and Nora Carbine
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