ANC 5A ADVISORY NEIGHBORHOOD COMMISSION 5A

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May 4, 2002

To: Mr. Geoffrey H. Griffis
Chairperson
Board of Zoning Adjustment
441 – 4th Street, NW, Suite 210
Washington, DC 20001

and

To Whom It May Concern

RECEIVED
D.C. BOARD OF ZONING
2002 MAY 20 PM 11:06

Re: BZA Application No. 16866
Howard University & Metropolitan Day School

MEMORANDUM OF OPPOSITION TO APPLICATION OF HOWARD UNIVERSITY AND METROPOLITAN DAY SCHOOL FOR SPECIAL EXCEPTION

The Ward 5A-06 community and the Advisory Neighborhood Commission SMD 5A-06 hereby voice opposition to Application No. 16866 for a special exception to increase enrollment of the existing Child Development Center and the private school (MDS) located at 1240 Randolph Street, NE Washington, DC 20017 and to any use of the adjacent property in connection with the school. The 5A-06 community did not support the original grant of the special exception to establish the Metropolitan Day School in our neighborhood and not only have the reasons for our non-support been realized, the persons connected with the school have repeatedly refused to form any cooperative liaison with these residents in this SMC. In light of this history, an increase in enrollment at this school would only exacerbate the existing problems in a community already saturated with the child development centers, and plagued by the increase in noise, traffic congestion, pollution and littering, since the day school's presence. An additional special exception for a use as a parking lot and/or playground will not overcome these existing problems. In fact, the addition of the adjacent lot for parking facilities or for more playground space will only contribute to changing the complexity of an attractive, bucolic neighborhood to a "commercial warehouse district".

BZA
Case No. 16866
Exhibit No. 26

The concerns of this community extend beyond the problems discussed above to even whether the existence of this school on this site is legally proper. Questions still remain unresolved as to the issue of the Day School's entitlement to a special exception at a site that is not owned by the School and the School is not a subsidiary or affiliated with the owner(s) of the site. The 5A-06 community viewed the application's listing of Howard University as the owner or Howard University and MDS as the owner and occupant respectfully, where the use is for the occupant only (MDS) as in consistent with

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the laws of the District of Columbia zoning regulations governing special exceptions. In addition, the School's plans to "annex" another site under its "control" raises the same questions as to whether the site is actually owned by MDS, which is one of the criteria needed for Applicant's to seek a special exception. Members of the 5A-06 community find this situation very disturbing and most believe that the grant of the original special exception to MDS in spite of these irregularities supported the attitude of persons affiliated with the school, that they were in the community as "a matter of right".

The community and the 5A-06 SMD Commissioner, Mary Baird Currie would like to clarify and correct statements in the Day School's letter to the Chairperson of the BZA of April 1, 2002, at paragraphs two and three, regarding discussions at the monthly meeting of the ANC SMD 5A-06 on March 21, 2002. MDS erroneously represents to the BZA that the 5A-06 community requested that the site adjacent to the school be used as a parking lot and some community members including the ANC 5A-06 Commissioner, Mary Baird Currie, were in favor of the Day School's request to postpone the May 21, 2002, hearing before the BZA. The ANC-5A-06 Commissioner, did not indicate any willingness to consent to a postponement of the hearing by MDS, rather she simply gave the Day School's representative the floor and acknowledged Ms. Dobbins' presence according to protocol. MDS has never expressed any willingness to work with this community at the March 21, 2002, monthly meeting of the ANC 5A-06 or otherwise. The representative for MDS stood at the meeting and asked the community for "ideas" for the new site, knowing perfectly well what the intended use of the site was and *one* community member bit the bait and mentioned a parking lot, amongst the voices of strong opposition to any use of the site by MDS. Not only are these statements in the Day School's letter erroneous, they border on dishonest.

Members of the 5A-06 community whose property interest are contained within a 200 foot radius of the Day School are preparing an application to gain party status before the BZA regarding the relevant application. In the event that the hearing before the BZA concerning this matter is not canceled, the 5A-06 community members will attend the hearing and voice opposition to the applicant(s).

Very truly yours,

by the attached signatures
of 5A-06 community members
And the 5A-ANC SMD commissioner

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FAX TRANSMITTAL SHEET

Date: 5/20/02

Name: Metropolitan Douglas Abel

Company Name: SZA Re: # 16806

Telephone Number: 347.6311 Fax NO.: 4/727-4072

3 Pages {including cover sheet}

Sent from:

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Message: Please file.