DESIGN1

16 SEPTEMBER 2002

OFFICE OF ZONING
441 4TH STREET NW
SUITE 210
WASHINGTON DC 20001

JERRILY R. KRESS FAIA DIRECTOR

RE BZA APPLICATION NUMBER 16915 SQUARE 1420 LOT 12

BARBARA'S MONTESSORI SCHOOL
2828 HURST TERRACE NW
WASHINGTON DC 20016

BZA
Case No. 16915
Exhibit No. 95

DEAR JERRILY,

I AM WRITING TO EXPRESS CONCERN REGARDING POSSIBLE APPROVAL OF THE ABOVE NAMED APPLICATION. I FEEL RATHER STRONGLY THAT ANY CONSIDERATION OF THE APPLICANT'S REQUEST SHOULD BE LIMITED TO DOWN-SIZING AND AT THE SAME TIME REQUIRE RELOCATION IN A TIMELY MANNER.

I AM AN ARCHITECT WITH A GOOD DEAL OF PLANNING AND ZONING EXPERIENCE. UPON GRADUATION FROM THE PENNSYLVANIA STATE UNIVERSITY, I MOVED TO WASHINGTON DC IN THE FALL OF 1963. I HAVE LIVED AND WORKED IN THE CITY FOR ALMOST FORTY YEARS. SINCE 1971, I HAVE BEEN LIVING AND WORKING IN THE PALISADES. IN AN EFFORT TO CONTROL INAPPROPRIATE USE AND DEVELOPMENT, AT ONE TIME I WAS THE CHAIRMAN OF THE PLANNING & ZONING COMMITTEE OF THE PALISADES CITIZEN'S ASSOCIATION. I AM WRITING TO YOU TODAY TO ASK FOR PROPER AND REASONABLE RESPONSE TO CONTROL THE CONDITIONS THAT RESULT FROM THE OVERLY INTENSE USE OF THE ABOVE NAMED RESIDENTIAL PROPERTY TO THE POINT OF ABSURDITY.

THE PURPOSE OF R-1-B ZONING, AS STATED IN THE CODE, IS TO PROTECT THE RESIDENTIAL USE AND CHARACTER. THE CODE RECOGNIZES THE NEED AND BENEFIT OF OTHER USES ON A CONTROLLED BASIS. IN DOING SO IT GENERALLY PUTS LIMITS ON BUSINESS AND OTHER USES IN ORDER TO MAINTAIN THE PRIMARY PURPOSE OF THE ZONE. THE FACILITY IN QUESTION, A ONCE NEIGHBORHOOD FRIENDLY CONVENIENCE HAS GROWN OVER THE YEARS TO BECOME A BIG-TIME BUSINESS WITH OVER TWENTY-THREE STUDENTS AND A STAFF OF THREE OR MORE. THIS RESULTS IN A GREAT DEAL OF VEHICULAR CONGESTION AND ITS ACCOMPANYING POLLUTION AND NOISE. IF ONE LOOKS AT A CHILD DEVELOPMENT CENTER IN LIGHT OF THE STRICT REQUIREMENTS INCLUDED IN THE HOME OCCUPATION CHAPTER OF THE CODE, FIVE TO TEN STUDENTS AND TWO CAREGIVERS WOULD BE IN ORDER FOR THE PROPERTY.

CONTINUED

202 363 3200 **FAX 202 337 0653** 202 333 4133

4836 MACARTHUR BLVD NW **WASHINGTON DC 20007**

Board of Zoning Adjustment
District of Columbia
CASE NO.16915
EXHIBIT NO.95

DESIGN 1

THE FACT THAT TWENTY-THREE STUDENTS AND THREE STAFF HAVE BEEN ALLOWED FOR THE PAST DECADE IS CERTAINLY BEYOND REASONABLE EXPECTATIONS. AS A RESULT, MOST OF THE IMMEDIATE NEIGHBORS ARE NOW IN STRONG OPPOSITION TO A RENEWED LONG TERM APPROVAL. THE IRONY OF THE SITUATION IS THAT THE NEIGHBORS HAVE NOT OBJECTED TO THE INTENSE USE UNTIL IT HAS GONE WELL BEYOND THEIR TOLERANCE LEVEL. IN THE INTEREST OF THE PUBLIC WELFARE, IT IS TIME FOR THIS FACILITY TO BE RELOCATED ON A THOUROFARE THAT IS PROPERLY SUITED FOR DEALING WITH AN OPERATION OF THIS MAGNITUDE.

I SUGGEST THAT YOU IMAGINE A SCHOOL FOR 23 CHILDREN (AGES 2 – 4) AND 3 STAFF PLUS ADMINISTRATOR(S) IN THE HOUSE NEXT DOOR TO YOUR HOME WITH MOST OF THEM ARRIVING AND DEPARTING IN AUTOMOBILES. THE THOUGHT OF THIS RESULTS IN CONGESTION AND USE BEYOND THE BOUNDS OF REASONABLE INTERPRETATION AND EXPECTATION OF THE ZONING CODE. THE CIRCUMSTANCES ARE FURTHER EXACERBATED BY THE EXPANSION AND RENOVATION OF THE KEY ELEMENTARY SCHOOL ACROSS THE STREET. UPON COMPLETION, KEY SCHOOL WILL EXPERIENCE GREAT GROWTH (50%) IN THE STUDENT BODY BRINGING INCREASED TRAFFIC AND PARKING DEMANDS TO THE NEIGHBORHOOD. AN INTERIM CONTINUANCE OF THE MONTESSORI SCHOOL WOULD APPEAR TO BE IN ORDER WITH VERBAGE REQUIRING DOWNSIZING AND/OR RELOCATION IN A TIMELY MANNER. CERTAINLY TRANFERRANCE OF THE APPLICANT'S NAME SHOULD NOT BE ALLOWED.

I THANK YOU FOR CONSIDERATION AND TRUST THAT YOUR OFFICE AND BZA WILL SEE FIT TO UPHOLD THE ZONING CODE BY LIMITING THE APPLICATION. SHOULD YOU HAVE ANY COMMENTS OR QUESTIONS, PLEASE CONTACT ME.

SINCERELY,

DAVID CUMINS MITCHELL
ARCHITECT

DCM:MCD

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