202-727-6072 fax

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Cleveland Park Citizens Association

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February 5, 2003

RECEIVED
D.C. OFFICE OF ZONING
2003 FEB -5 PM 3:52

Hon. Geoffrey Griffin
Chairman
Bureau of Zoning Adjustment
DC Office of Zoning
441 4th Street NW #210S
Washington, DC 20001

Re: Case #: 16970

This is page one of a 2-page transmittal.

On Saturday, February 1, 2003, the Cleveland Park Citizens Association, at a regular membership meeting, voted to oppose the proposal of the National Child Research Center to enlarge its facilities and its enrollment. The resolution follows.

We wish to be added to the witness list at the BZA hearing on Tuesday, February 11. We also ask that you extend us the privilege of party status. Please understand that we could not have made this request before addressing the issue.

Kindly acknowledge receipt to: g.idelson@verizon.net

Very truly yours,

George Idelson

Enc: CPA Resolution

BZA
Case No. 16970
Exhibit No. 98

Board of Zoning Adjustment
District of Columbia
CASE NO.16970
EXHIBIT NO.98

CLEVELAND PARK CITIZENS ASSOCIATION

Resolution - February 1, 2003

National Child Research Center's Application for a Special Exception

WHEREAS the National Child Research Center (NCRC) has applied to the Board of Zoning Adjustment (BZA) for a special exception which would permit it to expand its physical plant and to increase its number of children by interpreting its current special exception as allowing "120 children at any one time"; and

WHEREAS the 1998 BZA Orders granted NCRC's application for a special exception "to establish a child development center for 120 students, ages 2 1/2 to 5 years, and 28 staff"; and

WHEREAS NCRC is clearly in continuing violation of the BZA Orders by having at least 170 students and 38 staff; and

WHEREAS the Zoning Regulations (Sec. 3108) require that special exceptions "will not tend to affect adversely the use of neighboring property," a condition that clearly is not met currently, and would be further violated by any expansion of NCRC, and

WHEREAS the Zoning Regulations (Sec. 205) have specific requirements for child development centers, including "The center shall be located and designed to create no objectionable traffic condition ," a requirement which is clearly not met currently, and which is evidently not susceptible to relief through traffic mitigation measures or by other means; and

WHEREAS the Cleveland Park Citizens Association is and has been strongly concerned about the continuing violations of zoning orders, including special exceptions; and

WHEREAS it is particularly important that special exceptions not be easily granted nor violated with impunity, since the integrity of a residential community depends on the ability of an institution within it to function with minimal impact on the neighboring residences, therefore be it

RESOLVED that CPCA urges the BZA to recognize that NCRC is seeking to recharacterize the 1998 BZA Orders as only limiting its population to "120 children at any one time", without any limit on the enrollment, a position which is contradicted by the plain language of those Orders; and be it further

RESOLVED that for all the above reasons, the application should be denied.