REVISED

Application No. 16970
National Child Research Center (NCRC)

PRELIMINARY MATTERS:

- **Attorney Richard Nettler filed Motions to:**

  (a) Dismiss the Application;
  (b) Declaratory Relief; and
  (c) Dismiss and Declaratory Relief.

  [Mr. Nettler is requesting that the application be dismissed because the Applicant has failed to comply with the conditions of the previous Order - No. 16307. He is also requesting that the Board order the School to comply with previous conditions and that the Board not consider the current Special Exception application because of the School's failure to comply with the previous conditions.] Exhibit Nos. 67 and 78.

- **The Board must determine the parties of the case. Twenty-one persons or organizations have filed Party Status requests.**

RELIEF SOUGHT: Pursuant to 11 DCMR § 3104.1, for a special exception to continue an existing child development center (last approved by BZA Order No. 16307) with morning and afternoon programs for 120 children at any one time, ages 2 ½ to 5 years, and 38 staff in all floors of the existing buildings on the site under section 205, and the construction of additions to

BZA
Case No. 16970
Exhibit No. 111

Board of Zoning Adjustment
District of Columbia
CASE NO.16970
EXHIBIT NO.111

the existing buildings (the additions to the buildings do not require variance relief) at premises 3209 Highland Place, N.W.

ZONING:	R-1-B District
SQUARE & LOT:	Square 2072, Lot 30 (855 & 866)
COUNCILMEMBER:	**Jack Evans, Letter of Support Exhibit Nos. 22 & 23**
OFFICE OF PLANNING:	**OP will not be making a recommendation until it has additional information from other District government agencies. The report was filed late; a waiver is needed.**
TRANSPORTATION:	**DDOT does not support the application as currently proposed. Exhibit No. 99. The report was filed late; a waiver is needed.**
DEPT. OF HEALTH:	**Letter of Support, Exhibit No. 68 The document was timely filed.**
FIRE:	**The Fire and Emergency Medical Services Department recommends APPROVAL. See attachment to the OP report.**
HISTORIC:	**The HPRB staff APPROVED the conceptual design and indicated that it is consistent with the purposes of the preservation act. See Applicant's pre-hearing statement.**
ANC-3C:	**The ANC is OPPOSED to approval of the application. Exhibit No. 96. The report was timely filed.**
AFFIDAVIT OF POSTING:	**The property was posted and the Affidavit of Posting timely filed. Exhibit No. 90**

NOTES:

- Self-Certification. Exhibit No. 2.
- The Applicant's pre-hearing statement was timely filed. Exhibit No. 87.
- Letter of Authorization. Exhibit No. 10.

- The site is located in the Cleveland Park Historic District.

- **Letters of Opposition:**

Faye & Jack Moskowitz, Exhibit No. 97.
Cleveland Park Citizens Association. Exhibit No. 98
Rives Carroll, Exhibit No. 101
Nancy G. Harter, Exhibit No. 100
Cleveland Park Historical Society. Exhibit No. 105

The Applicant's attorney is Maureen E. Dwyer, with the law firm of ShawPittman

REQUESTS FOR PARTY STATUS

Jonathan D. Moreno
3075 Ordway Street, N.W.
Exhibit No. 65
The request was timely filed.

Dorothy Spencer Rich
3301 Newark Street, N.W.
Exhibit No. 66
The request was timely filed.

The Neighbors
To be represented by Richard Nettler
& Jeannine Rustad Zigner
Exhibit No. 67
The request was timely filed.
Mr. Nettler also represents neighbors who have individually filed for party status.

Charles and Deborah Both
3411 33rd Place, N.W.
Exhibit No. 70
The request was timely filed.

Paula Atkeson
3141 Highland Place, N.W.
Exhibit No. 71
The request was timely filed.

Pamela & Robert Pelle Treau
3220 Highland Place, N.W.
Exhibit No. 72
The request was timely filed.

To be represented by Nettler
William & Dandridge Ince
3224 Highland Place, N.W.
Exhibit No. 73
The request was timely filed

Reeve & Jane Vanneman
3071 Ordway Street, N.W.
To be represented by Nettler.
Exhibit No. 74
The request was timely filed.

Carter and Rita Rodriguez
3075 Ordway Street, N.W.
To be represented by Nettler
Exhibit No. 75
The request was timely filed.

Gaylord Neely
3207 Highland Place, N.W.
Exhibit No. 76 To be represented by Nettler.
The request was timely filed.

Laine & Mark Kaufman
3230 Highland Place, N.W.
Exhibit No. 77 To be represented by Nettler.
The request was timely filed.

Jon Thoren
3049 Ordway Street, N.W.
Exhibit No. 79
The request was timely filed.

REQUESTS FOR PARTY STATUS (CONTINUED)

The Friends of NCRC - Anne Large
Exhibit No. 80 Party in Support
The request was timely filed.

John & Leslie Oberdorfer
3415 Ashley Terrace, N.W.
Exhibit No. 81 To be represented by Nettler
The request was time filed.

R. Bruce & Sallie Beckner
3225 Highland Place, N.W.
Exhibit Nos. 82 and 92
The request was time filed.

Stuart Sotsky
3067 Ordway Street, N.W.
Exhibit No. 83 To be represented by Nettler.
The request was time filed.

Marc and Nancy Fetterman
3318 Ordway Street, N.W.
Exhibit No. 84 To be represented by Nettler.
The request was time filed.

Steven Hunsicker
3083 Ordway Street, N.W.
Exhibit No. 85
The request was time filed.

Katherine Marshall
Exhibit No. 91 Party in support
The request was not time filed; a waiver is requested.

Nancy Harter
3028 Newark Street, N.W.
Exhibit No. 93 To be represented by Nettler
The request was not time filed; a waiver is needed.

Joan McLaughlin & Charles Briodx
3053 Ordway Street, N.W.
Exhibit No. 94 To be represented by Nettler.
The request was not time filed; a waiver is needed.

REQUEST FOR PARTY STATUS (CONTINUED)

Henry P. Little
3220 Ordway Street, N.W.
Mr. Little resides in California; however, he
owns property on Ordway Street.
Exhibit Nos. 88
A determination is needed by the Board whether the request was timely filed. The request was faxed to the Office of Zoning on Jan. 28, 2003 at 3:05 p.m. (The filing deadline for Party Requests was January 28th COB.) However, the fax was received in the Office of Zoning at 6:05 p.m., after the close of business. (There is a 3-hour time differential between the East and West Coasts.) Staff correctly date stamped the document the following day, Jan. 29th.

LETTERS IN SUPPORT

Black Student Fund
Barbara Patterson
Exhibit No. 20
(Note: The letter is addressed to Tersh Boasberg, Chair HPRB)

Haley Kaufman and Jeff Alpher
2938 Macomb Street, N.W.
Exhibit No. 28

John Buckley
2932 New Mexico Avenue, N.W.
Exhibit No. 29

Sudhir Rajkumar
3916 48th Street, N.W.
Exhibit No. 30

Rebecca DelCarmen-Wiggins
4840 Quebec Street, N.W.
Exhibit No. 31

Shelly Galli
4411 Cathedral Avenue, N.W.
Exhibit No. 32

William & Kristen Meyer
4009 Highwood Court, N.W.
Exhibit Nos. 33 & 34

Abby S. Cherner
4145 Parkglen Court, N.W.
Exhibit No. 35

Joe Galli
4411 Cathedral Avenue, N.W.
Exhibit No. 36

Winthrop N. Brown
3549 Springland Lane, N.W.
Exhibit No. 37

Michael Andrews
3309 Macomb Street, N.W.
Exhibit No. 38

Kim Sperduto
Exhibit No. 39

Ellen S. Fern
5040 Albemarle Street, N.W.
Exhibit No. 40

C. Fairley Spillman
3049 Ordway Street, N.W.
Exhibit No. 41

Daniel Covitz
3545 Albemarle Street, N.W.
Exhibit No. 42

Pedro & Kimberly Affonso
1809 Parkside Drive, N.W.
Exhibit No. 43

Curtis Large
3520 35th Street, N.W.
Exhibit No. 44

Allison & John Shulman
Exhibit No. 45

Jeffrey Blount
Exhibit No. 46

Hattie Ruttenberg & Jonathan T. Molot
2424 Wyoming Avenue, N.W.
Exhibit No. 47

LETTERS IN SUPPORT CONTINUED

Robert S. Risoleo
Exhibit No. 48

Jan Crawford Greenburg
2940 Woodland Drive, N.W.
Exhibit No. 49

Anne Large
3520 35th Street, N.W.
Exhibit No. 50

Mari Tuma Foret
5069 Overlook Road, N.W.
Exhibit No. 51

Andrew D. Plepler
Exhibit No. 52

Andrew M Cherner
4145 Parkglen Court, N.W.
Exhibit No. 53

Robert K. Webb
3309 Highland Place, N.W.
Exhibit No. 54

Diana M. Daniels
5152 Manning Place, N.W.
Exhibit No. 55

Margaret & Mike Carvin
Exhibit No. 56

Carrie & Stuart Irvin
5609 Wood Way
Exhibit No. 57

Leila & Marc Austin
5108 45th Street, N.W.
Exhibit No. 58

Stuart Bergstein
Ambassador of Denmark
Exhibit No. 59

Michael Kenneth Gewirz
Exhibit No. 60

Rebecca J. Hanson
3916 48th Street, N.W.
Exhibit No. 61

Jon Thoren
3049 Ordway Street, N.W.
Exhibit No. 62

Bret O'Brien
5040 Albemarle Street, N.W.
Exhibit No. 63

Michael Teoke [illegible]
Exhibit No. 64

Letters and Petitions in Support Filed
by the Applicant
Exhibit No. 89

Matthew S. Watson
Letter Concerning Occupancy **Level**
Exhibit No. 104

Marianne C. Niles