September 30, 2003

Mr. Geoffery Griffis
Chairperson
Board of Zoning Adjustment
441 Fourth Street NW, Room 201
Washington DC, 20001

DC. Office of Zoning
2003 SEP 30 PM 4:36

Re: BZA Application 16970
National Child Research Center
3209 Highland Place NW, Square 2072, Lot 30
Consideration of Lot Size

Dear Mr. Griffis,

In the last BZA meeting NCRC made the point that their property is unique in it is the largest lot in the neighborhood. I agreed that they are the largest lot, but not so different in size from other lots to warrant status as unique. You asked for a listing of lot sizes. Though Attorney Maureen Dwyer has already submitted the enclosed spreadsheet as part of a larger packet created by Mr. Lindsley Williams, I resubmit it separately and provide analysis that substantiate my claims.

Claim #1
NCRC's Percentage of Gross Building Area to Land Area is currently standard as compared to neighboring lots with land areas of over 20,000 square feet.

These numbers were attained from the DC's Office of Tax and Revenue's Real Property Assessment Database, except for the Gross Building Area of 3207 Highland Place which is not posted on the website. The number provided in this document is an owner estimation. A 1998 Registered Surveyor's Platte was used as a guide.

Gross Building Area	Land Area	Premise Address	Percentage of Bldg to Land Area
6303	20,568	2141 Highland	31%
4587	21,169	3154 Highland	22%
	(8896 & 7555)	owned by 3154	(12% if lot areas combined)
5896	23112	3155 Highland	26%
5500	24202	3207 Highland	23%
7605	31000	3136 Newark	25%
10891	45208	3209 Highland(NCRC)	25%

If NCRC approximately doubles its Gross Building Area as proposed, the ratio of Building Area to Land Area becomes 50%. This number is out of scale with any other large lot in the neighborhood.

BZA
Case No. 16970
Exhibit No. 235

Board of Zoning Adjustment
District of Columbia
CASE NO.16970
EXHIBIT NO.235

Claim #2
NCRC's Single Record lot status does not make it unique.

This Cleveland Park neighborhood has evolved through a history of lot subdivisions. In fact two families with independent party status have direct ties to NCRC's land subdivisions. At one point NCRC owned what is now Henry Little's land. Years prior to the Beckner's ownership, a portion of their lot was sold to NCRC.

But this is not unique, nor does NCRC claim that it is. NCRC claims their uniqueness is in that they have the largest single record lot. Yet, for most of its 75 year history it was an institution that operated on several lots. This is easily seen in some of NCRC's public records. Building Permits pulled in January and February 1995 reflect its former lot numbers of 855 & 854. A Building Permit from June 1995 refers to lot 855. The Certificate of Occupancy September 1998 refers to NCRC as located on lot 855 and 866.

But now NCRC asserts that since it is one record lot, it is unique and thus deserves approval for their proposal. Since an owner cannot claim self-created hardship as justification for special exception, the same is true with this case. On January 31, 1995 NCRC consolidated their lots into one new record lot, lot 30. They created a special circumstance and now want to use it as justification for their desires. This is an improper use of Zoning Law.

I will show that NCRC does not have uniqueness in topography at another time.

Respectfully Submitted,

Linda Badami

Gaylord Neely and Linda Badami
3207 Highland Place NW
Washington DC, 20008

Attachments

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Form BLRA-15
(Rev. 9/30/91

DEPARTMENT OF CONSUMER AND REGULAT FFAIRS
BUILDING AND LAND REGULATION ADMIN. TION

BUILDING PERMIT

PERMIT NO. B392673

Date 01-31-95 (Type) FENCE
Address of work 3209 HIGHLAND PLACE, NW

Lot 855/854 Square 2072
TOTAL PERMIT FEE $
FILING FEE $
DATE
FEE PAYABLE $ 25.00

NATIONAL CHILD RESEARCH CENTER (Owner)
NO.

FOR INSPECTIONS CALL 727-7562

THE FENCE WILL NOT OBSTRUCT ANY ACCESSIBLE PARKING REQUIRED BY DC ZONING REGS. TYPE: WOOD/CEDAR, COLOR: NATURAL, LOCATION: ENTIRELY ON OWNER'S LAND. PERMIT DOES NOT AUTHORIZE CROSSING SIDEWALK WITH TRUCKS. HISTORIC PRESERVATION CLEAR

Builder—
Value $ No. of Bldgs.
Width of Bldgs. Length Height No. of Stories 2
Zone R-1-B To be occupied as
Height of terrace above grade Projections
Address of owner
Deposit No. Amount $

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
HAMPTON CROSS
DIRECTOR

2 1002 SHIRLEY IVEY

INSPECTOR'S COPY

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Form BLRA-15
(Rev. 9/30/91

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

BUILDING PERMIT

PERMIT NO. B393037

Date 02-17-95 (Type) ALTERATION/REPAIR
Address of work 3209 HIGHLAND PLACE, NW

Lot 0855 Square 2072
TOTAL PERMIT FEE $
FILING FEE $
DATE
FEE PAYABLE $ 165.00

NATIONAL CHILD RESEARCH CENTER (Owner)
NO.

FOR INSPECTIONS CALL 727-7562

REMOVE 2 EXISTING PAIRS OF WINDOWS, MODIFY STRUCTURAL OPENINGS AND INSTALL 2 PAIRS OF CASEMENT WINDOWS. REVISE OPENING OF EXISTING REAR DOOR. PERMIT DOES NOT AUTHORIZE CROSSING SIDEWALK WITH TRUCKS.

Builder— MERRICK DESIGN & BUILDING
Value $ 6760.00 No. of Bldgs.
Width of Bldgs. Length Height No. of Stories 2
Zone R-1-B To be occupied as
Height of terrace above grade Projections
Address of owner
Deposit No. Amount $

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
HAMPTON CROSS
DIRECTOR

2 1004 SHIRLEY IVEY

INSPECTOR'S COPY

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Form BLRA-15
(Rev. 9/30/91

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

BUILDING PERMIT

PERMIT NO. B392811

Date 2/7/95
(Type) ALTER/REPAIR- ADDITION
Address of work 3209 HIGHLAND PL., NW
(Owner) NATIONAL CHILD RES. CENTER
Lot 30 Square
TOTAL PERMIT FEE $2072
FILING FEE $
NO. DATE
FEE PAYABLE $ 174.32
FOR INSPECTIONS CALL 727-7562

REPLACE EXISTING WOOD DECK WITH A NEW DECK.
THIS PERMIT DOES NOT AUTHORIZE CROSSING SIDEWALK WITH TRUCKS.
" HIST. PRES. CLEARANCE: CONFORMS WITH MAYOR'S APPROVAL UNDER DC LAW 2-144.

Builder MERRICK DESIGN/BUILD INC.
Value $ 10,700
No. of Bldgs.
Width of Bldgs. Length Height No. of Stories 2
Zone R-1-B To be occupied as PRIVATE SCHOOL
Height of terrace above grade Projections
Address of owner SAME
Deposit No. Amount $
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

ROSLYN RUSSELL

HAMPTON CROSS
DIRECTOR

INSPECTOR'S COPY

" SEPARATE ELEC., PLUMBING & MECH INSTALLATION PERMITS ARE REQ. HIST PRES CLEARANCE: CONFOR WITH MAYORS AGENT APPROV AL UNDER DC LAW 2-144. PRIVATE PROP. ONLY NO PUBLIC SPACE INVOLVED. THIS PERMIT DOES NOT AUTH CROSSING SIDEWALK WITH TRUCKS

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Form BLRA-15
(Rev. 9/30/91

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

BUILDING PERMIT

PERMIT NO. B395337

Date 6-15-95
(Type) ALTER & REP- RETAINING WALL- SHED
Address of work 3209 HIGHLAND PLACE NW
(Owner) NATIONAL CHILD RESEARCH CENTER
Lot 855 Square
TOTAL PERMIT FEE $2072
FILING FEE $
NO. DATE
FEE PAYABLE $ 2,276.60
FOR INSPECTIONS CALL 727-7562

" AS)PER APPLICATION

PROVIDE WD 6X6 AND PRE ENGINEERED MASONRY RETAINING WALLS
CONCRETE PATIO AND ASPHALT PAVING- SHED - AS PER PLANS AND PLAT

THE RETAINING WALL WILL NOT OBSTRUCT ANY ACCESSIBLE PARKING REQ BY DC ZONING REG

Builder MERRICK DESIGN & BUILD INC
Value $ 41,585.00
No. of Bldgs.
Width of Bldgs. Length Height No. of Stories TWO
Zone R 1 B To be occupied as PRIVATE SCHOOL
Height of terrace above grade Projections
Address of owner SAME
Deposit No. Amount $
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

HAMPTON CROSS
DIRECTOR

INSPECTOR'S COPY

BLRA-17
(Rev 12/95)

District of Columbia Government
Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration Zoning Division
P.O. BOX 37200 — Washington, D.C. 20013-7200

B 00182078

CERTIFICATE OF OCCUPANCY

Permission is hereby granted to NATIONAL CHILD RESEARCH CENTER
to use suite(s) _____ on the FIRST, SECOND, AND THIRD BASEMENT floor(s)
of the building located on lot(s) 855 AND 866 square 2077
known as premises 3209 HIGHLAND PLACE N.W. for the following
purpose(s) CHILD DEVELOPMENT CENTER 2½-5 YRS 120 CHILDREN STAFF
NOT SEXUALLY ORIENTED [su]

BZA #: _____ EXPIRATION DATE: 6/17/2[illegible]

THIS CERTIFICATE SHALL BE POSTED CONSPICUOUSLY ON THE ABOVE PREMISES AT ALL TIMES. IT IS VALID INDEFINITELY, unless an expiration date is stated, ONLY for the premises, or part thereof, and for the purpose(s), indicated above, and IS NOT TRANSFERABLE to another person or premises under ANY conditions. ANY CHANGE in the type of business, ownership of business, or part of premises used therefor, will render this Certificate VOID and a NEW Certificate must be obtained.

ZONE R-1 FEE 48.10

Hampton Cross, Director

By _____ Designee

OFFICE COPY

Store# 0004 DC GOVERNMENT
Location: OFFICE OF FINANCE & TREASURY
Reg# 0099 Clk# 10
11/17/98 at 15:15
Amount $*****48.10
CERT. OF OCCUP. PERMITS
EB220011
Receipt#

undersigned certify that they are owners in fee simple of the property to be subdivided and are aceful occupation thereof; that there are no pending suits or actions that affect title to the property; parties to any deeds of trust have hereon indicated their assent; and that there are no interests or is affecting title to the property other than such deeds of trust. The undersigned hereby

bines Lot 855 in Square 2072 (which includes Lot 13 Bk. Co.24, Pg. 40) and 866 in Square 2072 (which includes Lots 10 thru 12 Bk. Co.24, Pg.40 and remainder of Lot 1 Bk.183, Pg.65) into one lot and Square 2072 and requests . this subdivision be recorded in the Office of the Surveyor of the District of mbia.

WITNESSES

OWNERS

NATIONAL CHILD RESEARCH CENTER

Suzanne Pawtko
at Witness

Marion Lemle, President
Marian Lemle, President

Suzanne Pawtko
ast Witness

Andrea Weisswasser, Secretary
Andrea Weiswasser, Secretary

ed and sworn before me this 30th day of January 19 95

Michael Dickson
Notary public

May 14, 1996
My Commission Expires

NUMBER OF TRUSTS: 1

ASSENT BY TRUSTEES:

Home Federal Savings Bank

By: Pamela R. Durbin
PAMELA R. DURBIN
VICE PRESIDENT

DEPARTMENT OF FINANCE AND REVENUE

1 — 31 — 19 95

I certify that the following statements relating to this subdivision are cor

1. Ownership agrees with our records: 1—31—95
2. Real estate taxes are paid to: EXEMPT 3-31-
3. There are no unpaid special assessments: 1—31—95

Associate Director, Office of Real Property Ta

I acknowledge for the owners that this is not a tax certificate as inte by D.C. Code Section 47-405.

DEPARTMENT OF CONSUMER AND REGULATORY AFF

January 31, 19

I certify that this subdivision complies with the zoning regulations District of Columbia.

Zoning: "R-1-B"

Acting Zoning Administrator

1/31, 1995

HISTORIC PERSERVATION

SURVEYOR'S OFFICE, D.C.

or: N.C.R.C.

n by: BILL WASH. Checked by: J.M.

rd and computations by: Washburn

ed at 12:30 P.M. January 31, 1995

ed in Book 188 Page 24 S.O. 9052

1 inch = 40 feet. File No. 95-003

OFFICE OF THE SURVEYOR

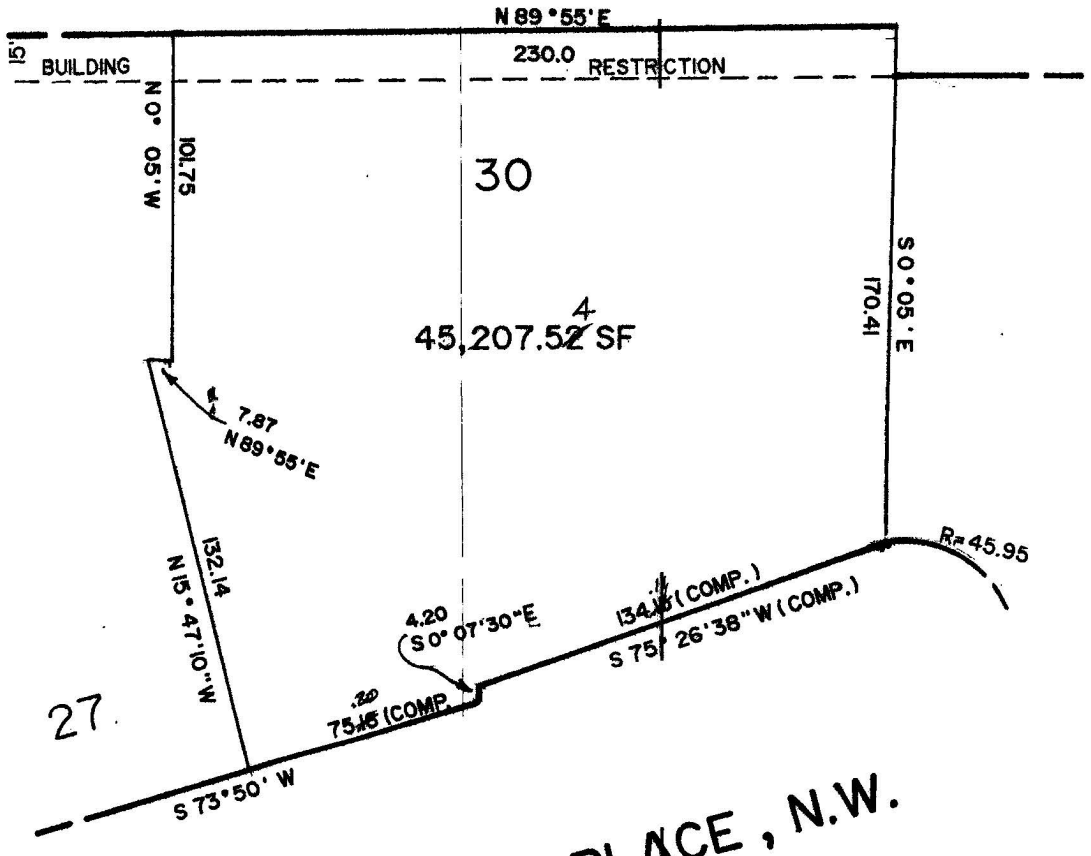
January 31, 19 95

I certify that this plat is correct and is hereby recorded.

Lewis E. Latz, III
Surveyor, D.C.

SUBDIVISION
SQUARE 2072

ORDWAY STREET, N.W.



HIGHLAND PLACE, N.W.

July 14, 1998

I certify that this plat has been corrected

For Surveyor

Assessor's Estimated Year Built	Gross Bldg Area	Land Area	Premise Address	Owner Name (Tax Records)
1900	3342	5056	3411 33RD PL NW	CHARLES R BOTH
1900	3894	**14400**	3433 33RD PL NW	CLEVELAND PARK CLUB INC
1935	4105	7494	3429 34TH ST NW	CAMERON S HAMRICK
1919	4181	**14417**	3431 34TH ST NW	HARRIET P MICOCCI
1900	4961	**14747**	3433 34TH ST NW	KATHLEEN MCKEAN
1907	4011	4975	3405 ASHLEY TR NW	RICHARD CARROLL
1907	3452	4000	3409 ASHLEY TR NW	BILL ADLER
1907	3069	4000	3411 ASHLEY TR NW	GARRY SCHINASI
1907	3310	4484	3415 ASHLEY TR NW	JOHN OBERDORFER
1940	4846	5923	3428 ASHLEY TR NW	THOMAS G EVANS
vac lot	vac lot	1217	NW	MILTON VIORST
1900	4913	8655	3432 ASHLEY TR NW	MILTON VIORST
1955	3870	**16347**	3434 ASHLEY TR NW	DAVID WISE
1903	4634	9620	3100 HIGHLAND PL NW	JOHN BYAM
1900	**6220**	**12012**	3101 HIGHLAND PL NW	DONALD JOSEPH WOOD
1940	4541	8834	3135 HIGHLAND PL NW	CLIFFORD FELDMAN
1910	3263	5304	3138 HIGHLAND PL NW	ROBERT T SILVERTHORNE
1910	4160	4400	3140 HIGHVIEW PL NW	ADAM BRUFF
1910	**6303**	**20568**	3141 HIGHLAND PL NW	TIMOTHY B ATKESON
vac lot	vac lot	7823	3150 HIGHLAND PL NW	FRED B ROONEY
vac lot	vac lot	14	3150 HIGHVIEW PL NW	FRED ROONEY
1910	4587	**21169**	3154 HIGHLAND PL NW	MAX KAMPELMAN
vac lot	vac lot	***8896***	HIGHLAND PL NW	MAX KAMPELMAN
vac lot	vac lot	***7555***	HIGHLAND PL NW	MAX KAMPELMAN
1910	5896	**23112**	3155 HIGHLAND PL NW	GREGORY CRAIG
1903	3757	**15080**	3200 HIGHLAND PL NW	STEPHEN S HAAS
1910	3309	**10361**	3204 HIGHLAND PL NW	LUCIA NEWMAN & PIA N LISTERUD TRUSTEES
#N/A	#N/A	**24202**	3207 HIGHLAND PL NW	DORIS D BLAZEK TRUSTEE
1911	4059	**10114**	3208 HIGHLAND PL NW	ROBERT MARSHALL
1910	10891	**45208**	3209 HIGHLAND PL NW	NATIONAL CHILD RESEARCH CENTER
1911	4005	6836	3220 HIGHLAND PL NW	ROBERT H PELLETREAU
1911	3252	7050	3224 HIGHLAND PL NW	WILLIAM K INCE
1900	5553	**13589**	3225 HIGHLAND PL NW	R B BECKNER
1900	3723	6246	3230 HIGHLAND PL NW	MARK H KAUFMAN
1905	3275	6495	3250 HIGHLAND PL NW	FREDERICK PETERS
1970	3505	6461	3300 HIGHLAND PL NW	TARA WALLACE
1913	5306	**11816**	3301 HIGHLAND PL NW	WILLIAM W TAYLOR
1913	3102	8601	3303 HIGHLAND PL NW	FRANCIS S BOURNE
1912	4743	5384	3306 HIGHLAND PL NW	JACK MOSKOWITZ
1910	3747	5856	3307 HIGHLAND PL NW	L WILLIAMS
1920	3902	3094	3309 HIGHLAND PL NW	ROBERT K WEBB
1920	3184	3355	3311 HIGHLAND PL NW	DAVID C LANIER MD & EDGAR R BLOUNT
1904	3979	4994	3312 HIGHLAND PL NW	ANTHONY F ESSAYE
1900	3011	6556	3315 HIGHLAND PL NW	MARK L BATSHAW
1900	4152	4878	3320 HIGHLAND PL NW	SUSAN K TALLEY
1906	1040	4165	3324 HIGHLAND PL NW Unit: 1	ANNE A LUZZATTO

Assessor's Estimated Year Built	Gross Bldg Area	Land Area	Premise Address	Owner Name (Tax Records)
1905	4464	7720	3035 NEWARK ST NW	GEORGE IDELSON
1902	3939	7656	3042 NEWARK ST NW	DAVID O BICKART
1910	4562	9890	3046 NEWARK ST NW	STEVEN TABAH
1890	**6011**	**15226**	3100 NEWARK ST NW	JOHN L STEELE
1912	**7756**	**15168**	3110 NEWARK ST NW	DONALD E GRAHAM
1911	3846	8450	3120 NEWARK ST NW	JONATHAN RODGERS
1903	5264	8017	3121 NEWARK ST NW	JOSEPH A BOSCO
1911	5527	**17156**	3122 NEWARK ST NW	ROBERTS B OWEN
vac lot	vac lot	***15834***	NW	ROBERTS B OWEN
1915	2974	3706	3125 NEWARK ST NW	JOHN W POOLE
1900	2974	3487	3127 NEWARK ST NW	CHARLES H ATHERTON
1913	**7605**	**31000**	3136 NEWARK ST NW	EMANUEL BOASBERG
1923	3796	8370	3145 NEWARK ST NW	LUTHER M STOVALL
1900	5321	9175	3149 NEWARK ST NW	LAURA S WERTHEIMER
1909	4666	**12000**	3208 NEWARK ST NW	PETER EDELMAN
vac lot	vac lot	10000	3210 NEWARK ST NW	STEVEN WOLIN
1920	2643	6315	3211 NEWARK ST NW	GARY S GUZY
1919	4965	10000	3212 NEWARK ST NW	SUSAN WEBB HAMMOND TRUSTEE
1910	4651	6250	3214 NEWARK ST NW	SEYMOUR M HERSH
vac lot	vac lot	3750	NW	SEYMOUR HERSH
1900	3215	9969	3215 NEWARK ST NW	CHARLES CARLISLE
1910	4059	10000	3216 NEWARK ST NW	E S LIEBERMAN
1916	4215	**13700**	3218 NEWARK ST NW	ROBERT L STERN
1900	5271	8318	3249 NEWARK ST NW	HOWARD T WEIR
1920	3240	**14700**	3300 NEWARK ST NW	PHILIP ABRAHAM
1900	3993	7918	3301 NEWARK ST NW	SPENCER A RICH
1910	4503	5303	3307 NEWARK ST NW	JOHN G BUCHANAN
1910	3944	5109	3311 NEWARK ST NW	JONATHAN M WEISWASSER
1906	3545	9981	3312 NEWARK ST NW	DOUGLAS L NAMIAN
1909	5018	**12990**	3314 NEWARK ST NW	STEPHEN J POLLAK
1900	4024	7078	3315 NEWARK ST NW	M KELLOGG
1910	4326	**14694**	3316 NEWARK ST NW	BURTON SCHONFELD
1906	1040	4165	3317 NEWARK ST NW Unit: 2	JAMES F O'DONNELL
1920	4039	9627	3319 NEWARK ST NW	T SELDES
1896	4839	**13258**	3322 NEWARK ST NW	GERALD M STERN
1907	5179	**10489**	3324 NEWARK ST NW	JACQUES FEUILLAN
1952	2949	4282	3120 ORDWAY ST NW	ROBERT DUBINSKY
1951	2563	4340	3122 ORDWAY ST NW	A E SMITH
1950	2658	4347	3126 ORDWAY ST NW	MARY LOPATTO
1950	2658	4347	3130 ORDWAY ST NW	ALAN L GINSBURG
1950	2786	4347	3134 ORDWAY ST NW	GKEGORY M WEINGAST
1955	2726	5324	3220 ORDWAY ST NW	HENRY LITTLE
1957	1920	3471	3306 ORDWAY ST NW	WILLIAM J KEERY
1955	2588	4778	3310 ORDWAY ST NW	DIANE WILKINSON
1955	1860	6859	3314 ORDWAY ST NW	RICHARD A MOLINAROLI
1955	2019	3249	3318 ORDWAY ST NW	MARC FETTERMAN