To: Board of Zoning Adjustment

From: Barbara B. Haas

Date: November 11, 2003

Subject: BZA Case 16970 (opponent)

Please attach the enclosed tape recording as exhibit #1 to the testimony I gave at the BZA Hearing on Tuesday, November 4, 2003. It is the recording of the BZA public meeting held on May 6, 1998, during which the Board decided how to draft the Summary Order for Case number 16307. I quoted from this recording as part of my testimony. I retrieved the recording from the BZA files. The voices on the recording are only those of BZA staff and Board members.

There is a "false start" between numbers 0 and 113. Then the recording repeats itself. The portion of the recording relating to NCRC ends at number 835. I urge you to pay particular attention to the recording between numbers 545 and 712. It clearly demonstrates that the Board perceived the March 3, 1999 Summary Order upon rehearing as a test of NCRC's ability to control its traffic. It also supports my assertion that, even in 1998, it was never a forgone conclusion that NCRC could continue to operate at its current level of enrollment.

I was present at the meeting. I hope that you will listen to the tape recording. I have also enclosed a copy of the two photographs that I referenced in my testimony. Although I did hand in the photos at the end of the hearing on November 4th, I am not certain they were attached properly to my testimony.

Thank you for your consideration.

3200 Highland Place NW
Washington, DC 20008

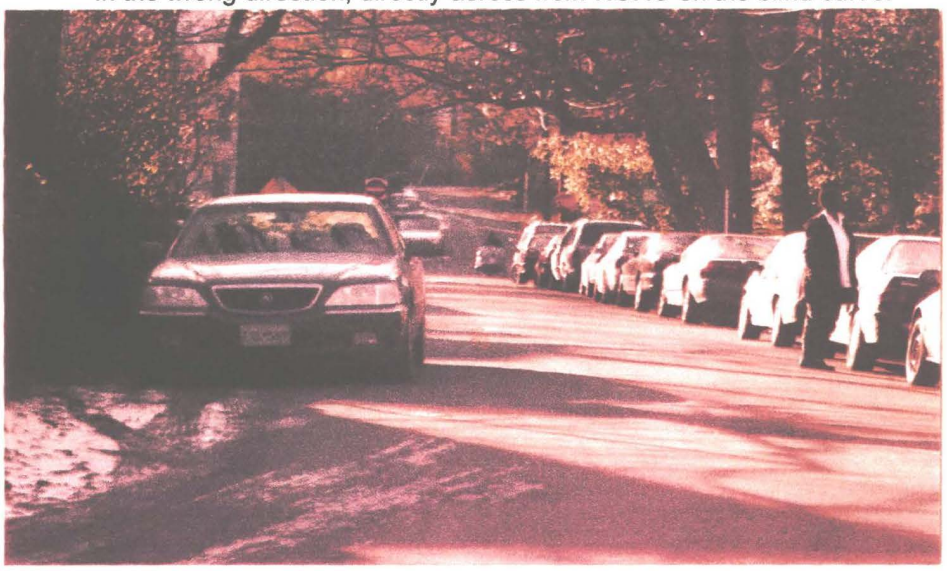
BZA
Case No. 16970
Exhibit No. 300

Board of Zoning Adjustment
District of Columbia
CASE NO.16970
EXHIBIT NO.300

>>Visalia, 19819 from an BZA Case 16970: National Child Research Center, Applicant
Photos to accompany testimony by Barbara Haas, a Party and opponent

Photos were taken on February 27, 2003

1. The parent driver has left the car and walked up the hill to where the children have just been dismissed. The car is parked illegally in front of Mrs. Marshall's house, facing east, in the wrong direction, directly across from NCRC on the blind curve.



2. The parent/driver has returned to the car and is attempting to make an illegal U-turn directly in front of NCRC on the blind curve. He drove partially onto the sidewalk and was unable to complete the U turn, so backed up and drove rapidly east on Highland Place. Note the adult and child in the lefthand corner of the photo walking in the street toward NCRC.



GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

PUBLIC MEETING AGENDA
MAY 6, 1998
1:00 P.M.

I. MINUTES

Meeting Minutes

A. Public Meeting of April 1, 1998

Bench Minutes

A. Public Hearing of April 1, 1998
B. Public Hearing of April 15, 1998

II. CASES:

A. 16298 **Application of Trinity Housing Corporation of Washington**, pursuant to 11 DCMR 3108.1 and 3107.2, for a special exception under Subsection 213.1 to establish parking lots in a residential district, a variance from Subsection 213.1 to establish a parking lot that is not located in its entirety within 200 feet of an existing commercial or industrial district in a residential district, and a variance from Subsection 213.3 to establish a parking lot that is not contiguous to or separated only by an alley from a commercial or industrial district in a residential district, for parking lots in the R-5-B District at premises 1417, 1493 and 1507 Meridian Place, NW (Square 2684; Lots 556, 557 and 558).

HEARING DATES: January 7, February 18 and March 18, 1998

BOARD MEMBERS PARTICIPATING: Dialogue with King on zoning quote on parcels Sheila Cross Reid, Betty King, Susan Morgan Hinton and Jerrily R. Kress.

(See next page)

STATUS: The record was closed at the conclusion of the hearing on March 18, 1998. The documents received at the March 18th hearing were sent to Ms. King and Mrs. Kress. At the public meeting of April 1, 1998, the Board **DEFERRED** action until May 6, 1998 because the transcript had not been received. The transcript was sent to Ms. King and Mrs. Kress for this meeting.

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B. 16307 **Application of National Child Research Center**, pursuant to 11 DCMR 3108.1 and 3107.2 for a special exception under Section 205 to establish a chold development center for 120 students ages 2 ½ to five years and 28 staff in the basement through third floor of an existinng building, and a variance from the provisions of Section 2101 for off-street parking in an R-1-B District at premises 3209 Highland Place, N.W. (Square 2072, Lot 30 (855 & 866)].

HEARING DATES: January 21 and April 1, 1998
DECISION DATE: January 21, 1998 (Bench Decision)

BOARD MEMBERS PRESENT: January 21st: Ms. King, Mrs. Hinton, Mrs. Reid & Ms. Bennett
April 1st: Mrs. Reid, Ms. King & Mr. Franklin

STATUS: The application was initially **GRANTED** by a vote of 4 – 0 (Betty King, Susan Morgan Hinton and Sheila Cross Reid to grant; Maybelle Taylor Bennett to grant by absentee vote; Laura M. Richards not present, not voting).

At the public meeting of February 4, 1998 the Board **GRANTED** a request from ANC 3C to rehear the application due to problems associated with notice. At the end of the rehearing on April 1, 1998, the record was closed except that the parties were to submit into the record an agreement reached between them. The agreement was due on April 30, 1998. The parties waived the right to respond to the submission.

C. 16326 **Application of the D.C. Public Schools and The Corcoran Gallery of Art**, pursuant to 11 DCMR 3108.1, for a special exception under the provisions of Section 206 to establish an art school on the first and second floors of an existing school building in an R-3 District at premises 1801 35th Street, N.W. (Square 1297, Lot 851).

HEARING DATES: March 18 and April 15, 1998

BOARD MEMBERS PRESENT: On March 18th: Mrs. Reid, Mrs. Hinton & Ms. Bennett.
On April 15th: Mrs. Reid, Ms. King, Mr. Foushee & Mrs. Kress

STATUS: The record was closed at the end of the hearing on April 15, 1998, except that the applicant was to submit proposed findings to the Board.

EXHIBIT 300

CASE NO. 16970

HAS A CASETTE TAPE

PLEASE SEE AT OFFICE