overnment of the District of Colu ia
OFFICE OF ZONING

August 20, 2004

Scott A. Schachter
3627 Alton Place, N.W.
Washington D.C. 20008

**Re: Complaint of Non-Compliance with Conditions of BZA order No 16977. Sheridan School. 4400 36th Street, N.W Washington D.C. 20008**

Dear Mr. Schachter,

This letter is in response to a Form 300 complaint of non-compliance with conditions of a Board of Zoning Adjustment (BZA) order and all subsequent supplements that you filed against the property referenced above. Though this letter represents the first formal response to your February 26th, 2004 Form 300 complaint from the Office of Zoning, the Compliance Manager, in conjunction with the Zoning Administrator's office, has been in contact with the attorney representing the Sheridan School in attempts to ensure practices that are consistent with the spirit and the letter of the conditions of Board of Zoning Adjustment order number 16977. While this approach is not inconsistent with the mandate of the compliance review program, in retrospect, the Office of Zoning apologizes that the Compliance Manager was remiss in not keeping you abreast of efforts to act on your complaints sooner. Please accept the Office of Zoning's apology.

Attached please find a copy of the building permit No. B463006, dated 6/22/04, issued to the Sheridan School on the basis of the Board of Zoning Adjustment's approval of its application in BZA # 16977. For purposes of the Zoning Regulations, though an order of the Board becomes effective ten (10) days upon its filing in the record and service upon the parties, pursuant to §§ 3125.9 and 3125.6 respectively, it should be noted that the beneficiary of the Board's approval, other than an Electronic Equipment facility, has two years within which it may consummate the effectiveness of such order by filing for a building permit. (Refer to § 3130.1, Title 11, DCMR). In the instant case, the date of the issuance of the building permit, June 22, 2004, coincides with the beginning of the validity of the order and its attendant conditions. For the foregoing reason, the Office of Zoning's determination, without prejudice to the factual merit or validity of your complaint, is that your February 26, 2004 Form 300 complaint and all other supplemental complaints relating to activities that you deemed in violation of relevant conditions prior to June 22, 2004 are premature and unenforceable under Board of Zoning Adjustment order number 16977.

BZA
Case No. 16977
Exhibit No. 68

441 4th Street, N.W., Suite 210-S, Washington, D.C. 20001
(202) 727-6311 • (202) 727-6072 fax
E-Mail: zoning info@dcoz.dcgov.org • Web Site: http://www.dcoz.dc.gov

Board of Zoning Adjustment
District of Columbia
CASE NO. 16977
EXHIBIT NO. 68

Regarding your June 29, and August 12, 2004 supplemental letters of complaint, the Office of Zoning, in conjunction with the Zoning Administrator's office, and in furtherance of its effort to ensure compliance with the spirit and letter of the conditions of approval of the Board's order, intends to convene a meeting with the school and its representatives in the coming week, to arbitrate a clear understanding of practices that may or may not constitute violations of the conditions of approval of the Board of Zoning Adjustment order 16977. You are invited and are welcome to participate in this meeting. Toye Bello, the Compliance Program Manager, will contact you to inform you of the date and location of the meeting and to confirm a date that will be convenient to all.

If you have any questions about the foregoing, you can reach Toye Bello at (202) 727-6311 or by e-mail at olutoyebello@dcoz.dc.gov. Again, thank you for your patience and understanding.

Sincerely,

Jerrily R. Kress, FAIA
Director

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

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUILDING AND LAND REGULATION ADMINISTRATION

PERMIT

BUILDING PERMIT ADDITION PERMIT NO. 0463005

Date 6/22/04 (Type) ALTERATION AND REPAIR

Address of work 4400 36TH ST. NW. Lot 10 Square 1968

Permission is hereby granted to SHERIDAN SCHOOL, INC. (Owner) TOTAL PERMIT FEE $

who is authorized to perform the work described herein at the address shown above in strict accordance with the conditions stated on BOTH sides of this permit: NO. FILING FEE $

Authorized work and conditions of performance thereof: DATE

FEE PAYABLE $ 13,785.45

FOR INSPECTIONS CALL [illegible] 442-4641

ADDITION OF SIX BOYS; RENOVATION OF ADMIN. OFFICE; 2ND. FL. ADDITION; RENOVATION OF 1ST FL.; REPLACE MECH. SYSTEM, ELECTRICAL WORK; MODIFICATION OF PARKING AREA.

Builder SEPARATE ELECTRICAL, PLUMBING AND MECHANICAL INSTALLATION PERMITS ARE REQUIR

Width of Bldgs. Length Height No. of Stories 2

Zone E-2 To be occupied as SCHOOL-ELEMENTARY

Height of Surface above grade Projections:

Address of owner : SAME

Deposit No. Amount $

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

By [illegible] Permit Clerk

DIRECTOR

E. BOYER