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October 2, 2003

Mr. Geoffrey H. Griffis, Chairman
Board of Zoning Adjustment
Government of the District of Columbia
441 – 4th Street, N. W. – Suite 210South
Washington, D. C. 20001

Re: Application No. 17022
Proposed Expansion of Edmund Burke School

Dear Mr. Griffis:

As requested by the BZA at the Hearing on July 15, 2003, re the application of the Burke School for a Special Exception, I enclose two copies of a Statement to be delivered in opposition to the Burke School Application.

I hereby certify that I have served this day a copy of this same correspondence by US Mail, properly stamped for First Class mail service, to the following parties to this Hearing:

Mr. Stephen Cochran
Office of Planning
801 N. Capitol Street, N.W.
4th Floor
Washington, D. C. 20008

Edmund Burke School
c/o Mr. Philip Fecola and
Ms. Sarah Shaw
Shaw, Pittman
2300 N Street, N.W.
Washington, D. C. 20037

ANC 3F
c/o Mr. Stephen Dennis
3901 Connecticut, Avenue, N. W.
Washington, D. C. 20008

Mrs. Linda Jay
2951 Upton Street, N.W.
Washington, D. C. 20008

BZA
Case No. 17022
Exhibit No. 131

Board of Zoning Adjustment
District of Columbia
CASE NO. 17022
EXHIBIT NO. 131

Ms. Colleen Smith
Department of Public Works
2000 - 14th Street, N.W.
5th Floor
Washington, D. C. 20009

NARDS
c/o Ms. Dierdre Karambelas
2938 Upton Street, N.W.
Washington, D. C. 20008

Van Ness South Tenants Association
c/o Mr. Pat Brown
Greenstein, Delorme and Luchs
1620 L Street, N.W.
Washington, D. C. 20036

Sincerely yours,

James C. Brown

cc: Mr. Anthony Hood
Ms. Ruthanne Miller
Mr. Curtis Etherly, Jr.
Mr. David Zaidain

Objection to Burke School Expansion Plan

My name is James C. Brown. I have been a Real Estate Broker for forty years, specializing in providing and managing moderate income rental properties for D.C. residents. My two brothers, Thomas and Raymond and I own the 37-Unit apartment building addressed at 4107 Connecticut Avenue,N.W., which abuts on the northside lots onto which Burke School seeks to expand.

4107 Connecticut Avenue is a four story,37 unit apartment building, with an elevator and air-conditioning, housing 75 residents. The rents ceilings are controlled by the D.C. Rental Housing Act. Rents range from $857.00 for an efficiency, to a high of $1,055.00 for a two bedroom apartment. All utilities are included in the rent.

We believe the quality of life of our residents will be substantially diminished, if the Burke School expands onto Connecticut Avenue.

The proposed Burke building on Connecticut Avenue will place some mechanical equipment on the roof, generating noise which will be

be disruptive to the peace and quiet of our residents. The building plans proposes an open air lunch/play deck on the top floor level. Student activities in this area will create additional noise.

The north-south public alley, from Van Ness Street to Upton Street, in the rear of 4107 Connecticut Avenue, is critical to the operational efficiency of our building. Building heat and domestic hot water is provided by an oil-fired boiler. Large oil trucks replenish the oil to the building about every 3 days - normally in the early morning hours, about school commencement time. All other service contractors; plumbing, heating, air-conditioning, trash collections rely on the use of this alley. Burke's proposed expansion will create additional traffic congestion in the alley. We also have 4 parking spaces which access this alley.

Burke's new building will create a garage entrance immediately south of 4107 Connecticut Avenue, N.W. The traffic generated in and out of this garage, over the public sidewalk, will create a considerable challenge for pedestrians attempting to traverse the driveway entrance, over the public sidewalk..

The residential nature of the property at Connecticut Avenue and Upton Street will be compromised by the Burke expansion. These lots are presently zoned R5B. The Members of the BZA Board are certainly aware that the Eastside of Connecticut Avenue, N.W. – from Porter Street to Van Ness Street - is currently used for residential habitation.

The residential property owners have a homestead interest in their property and their neighborhood. These owners provide and sustain the D.C. Government by their real property tax base. They should not

only have the expectation, but the absolute right to, the peace, quiet and lack of disruption to their domiciles.

If Burke is allowed to expand onto Connecticut Avenue, these rights will be further diminished.

The Burke School's present student enrollment and faculty staff are in violation of prior BZA Rulings. Their present operations, pertaining to traffic management and congestion, are not working. To suggest that the expansion of the existing Burke facility will tend to cure existing problems, seems to us, totally illogical.

We would ask the Commission to retain the residential nature of the Connecticut Avenue and Upton Street neighborhood, and to reject the proposed Burke School Expansion application.

Thank you for your review of this submission.

James C. Brown

October 1, 2003