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November 4, 2003

Board of Zoning Adjustment
441 4th Street, NW
Suite 210
Washington, DC 20001

Re: BZA Case No. 17022; Burke School Application

Dear Board:

Please accept the statement I made at the October 28, 2003, BZA hearing on the above referenced case. I request that it be included in the record.

Thank you for your attention to this.

Sincerely,

Robert Vricella

BZA
Case No. 17022
Exhibit No. 188

Board of Zoning Adjustment
District of Columbia
CASE NO. 17022
EXHIBIT NO. 188

BZA Case No. 17022

Mr. Chairman, for the record my name is Robert Vricella. I live at 2947 Upton Street, three houses down from Burke on the north side of the street. Although I don't practice law, I was trained as a zoning attorney in suburban Maryland; I now develop real estate for a national homebuilder. Mr. Chairman, if my company was in consistent violation of zoning regulations, refused to cure those violations upon notice from the government, there is no chance that any of the surrounding jurisdictions that I do business in would entertain an application requesting further zoning relief from the government. And yet, that is exactly the situation that you are confronted with here today: An institution that is in willful violation of the orders of this Board. I would think that the Board would be concerned that an applicant was ignoring its orders, and yet, by entertaining this application, you are encouraging others to ignore your orders by demonstrating that they can do so with impunity.

Burke would have you believe that they are an ideal neighbor. This could not be farther from the truth. As an example, I asked Burke on several occasions over two years ago to prohibit students from walking in the alley. It is a big safety issue for us when we have to continually dodge students every time we leave our houses or when we come home. The response was something to the effect that to prohibit students from walking in the alley would interfere with their right to make decisions on how to come to school. I thought it was just a simple matter of safety. Nevertheless, we still run the student gauntlet every day the school is in session. I can only question the judgement of school administrators who continue to put students at risk in pursuit of some esoteric philosophy that makes no common sense.

Their proposed traffic management plan is far too complicated to work effectively. Based on Burke's track record, once this building is built, it will be back to business as usual. We fear for the neighborhood and our quality of life if Burke gets everything they want and no longer needs to come back to the Board for favors. The fact that Burke has proposed such a complicated traffic management plan should tell you there is a big problem here. And upon examination of this plan, it is apparent that it simply isn't going to work. Once the scrutiny this application has caused has passed, parents will take the path of least resistance. An entire lane of CT Ave. will be tied up during rush hour. Is it fair to rely on neighbors to enforce this plan? I have other more productive things to do with my life than to enforce Burke's traffic management plan.

I close by leaving you with this thought. Suppose that every day when you leave your house in the morning, a police officer has to give you permission to leave. This will be the situation that my neighbors and I who live on the north side of Upton Street will have to endure, day in and day out, if you approve this plan. Yes, I bought my house knowing the school was there. And I don't have a problem with that. But I do have a big problem when I can't leave my house in the morning unless someone else, employed by Burke, tells me that I can leave. That would be an intolerable situation and one, I submit, that no one in this room would willingly put up with. If that isn't an "adverse impact," then I don't know what is. There are plenty of other parcels of land in this city that Burke can expand on. Many schools have satellite campuses, why can't Burke? And keeping this property, two blocks to a metro station, in residential use will further the Mayor's plan of bringing more residents into the City. Which is why I question OP and DOT's tepid support for this plan-- because it goes against the stated policies of the City government. Thank You.