4915 Ashby Street, NW
Washington, DC 20007
April 19, 2005

District of Columbia Board of Zoning Adjustments
441 Fourth Street NW Suite 210
Washington DC 20001

RECEIVED
D.C. OFFICE OF ZONING
2005 APR 21 PM 2:59

RE: Application # 17300, Special Exception to Increase Student Enrollment
St. Patrick's School, 4925 MacArthur Boulevard NW

Dear Members of the Board,

We recently made a submission regarding the above-captioned proceeding and it should be a matter of record. We are now aware that at the April 12, 2005 hearing the Board discussed amending, eliminating, or changing other conditions from the Board's December 3, 2002 Order besides the ones sought in St. Patrick's application. We find this unconscionable that the Board, on its own, would raise other issues without notifying the community that they would be discussed. It is bad enough that the Board's original notice only mentioned the increase in student enrollment sought by the school and did not mention the change that the school was seeking regarding students walking to the MacArthur Boulevard campus from the Whitehaven one. At least we knew the school was seeking that change from community meetings and had an opportunity to submit comments. However, there was absolutely no notice regarding changes to the other conditions from the Board or the school, and consequently we had no opportunity to comment. In fact, the school made it known in various meetings that it was not seeking to change any other conditions now, nor would it in the future. The Board's opening up all of the other conditions violates all notions of due process and we strenuously object.

We are also now aware that one of our neighbors, Mr. Lovendusky, who at the hearing described his family's objection to the school's application for change, mentioned the difficulty of administering the 20th condition concerning enforcement. We agree with his contention and would support a modification of the condition to something more pragmatic.

As to other conditions, we do not know what the Board is considering nor what the school is seeking, if anything, so we cannot comment. If all conditions are now open for change, we would seek more restrictions to outdoor recreational activity so none occurs in the parking lot, seek to limit the school to 7th and 8th grades since that is all the school currently offers and wants to offer, limit the school to one lunch period, make sure that the school circulates all comments to its minutes and complaints from the community when they occur as well as the minutes from the community meetings, and impose time limits for construction and maintenance including some sort of noise and pollution control, such as prohibition on idling trucks and on the use of gas blowers. However, we would not expect the Board to consider these changes without allowing the school to provide input. The Board should provide the community with the same consideration.

Sincerely,

Howard Fenton and Nora Carbine

BZA
Case No. 17300
Exhibit No. 39

Board of Zoning Adjustment
District of Columbia
CASE NO. 17300
EXHIBIT NO. 39