GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

BZA Application No. 21541[1]
St. Patrick's Episcopal Church and Day School
4707, 4700, 4751 and 4753 Whitehaven Pkwy, NW and 1800 Block of Foxhall Rd. NW
(Square 1374, Lots 15, 838, and 839; Square 1372, Lot 817; Square 1346, Lot 827)

HEARING DATE: September 30, 2026
DECISION DATE: October 7, 2026

SUMMARY ORDER

RELIEF REQUESTED. The application requests the following relief in order to construct a new four-story building (middle school) on the campus of an existing private school in the R-1B zone and to modify a condition of approval in BZA Order No. 17429 concerning use of a playing field and stadium in the R-1B zone:

- Modification with Hearing to Board of Zoning Adjustment Order No. 17429, pursuant to Subtitle Y § 704
- Area Variance from the building height setback requirements of Subtitle D § 203.6, pursuant to Subtitle X § 1002
- Special Exception under the loading requirements of Subtitle C § 901.1, pursuant to Subtitle C § 909 and Subtitle X § 901.2
- Special Exception under the private school use permissions of Subtitle U § 203.1(m) and Subtitle X § 104, pursuant to Subtitle X § 901.2

The zoning relief requested in this case was self-certified. (Exhibit 9.)

PRIOR APPLICATION.[2] In Application No. 17429, the Board approved special exceptions to allow a private school use, a middle school and high school campus for 440 students and 100 faculty/staff, and a theoretical lot-subdivision for 18 dwellings in the R-1B zone at 1801 Foxhall Road, N.W. ("Foxhall Campus") (Square 1346, Lot 827).

PROPOSED MODIFICATION. The Applicant's request for a modification with hearing to Order No. 17429 included changing Condition No. 7 to include a Temporary Modification Agreement with

[1] The Application was originally noticed as No. 17429-B and was changed prior to the public hearing to 21541.
[2] The Board previously approved Order Nos. 18465 and 18465-A, which currently govern the private school use of the Whitehaven Campus located at 4707, 4700, 4751 and 4753 Whitehaven Pkwy, NW (Square 1374, Lots 15, 838, and 839; Square 1372, Lot 817.

The Board has previously issued several orders relating to the private school use at the subject properties. These include Order Nos. 11933, 14009, 15374, 16517, 17081, 17883, 19678, 16852-A, and 17300.

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the neighbors to allow expanded use of the playing field at the Foxhall Campus during the Whitehaven Campus middle school construction.

PARTIES. The parties to this case were the Applicant and Advisory Neighborhood Commission ("**ANC**") 3D, the "affected ANC" pursuant to Subtitle Y §§ 101.8 and 403.5(b) of the Zoning Regulations (Title 11 of the DCMR, Zoning Regulations of 2016, to which all references are made unless otherwise specified).

NOTICE OF THE APPLICATION AND PUBLIC HEARING. The Board of Zoning Adjustment (the "**Board**") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

ANC REPORT. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on September 2, 2026, at which a quorum was present, the ANC voted to support the application. (Exhibit 32.) The ANC report noted concerns regarding traffic, parking, and community use of the Foxhall Campus field. The ANC requested a gradual increase after an initial cap on student enrollment and staff, traffic monitoring at key intersections near both campuses, and ongoing engagement with the ANC during construction and operations.

ANC 3D02 Commissioner Tricia Duncan testified in support of the application on behalf of the ANC at the public hearing.

OFFICE OF PLANNING ("OP") REPORT. OP submitted a report recommending approval of the application. (Exhibit 35.)

DISTRICT DEPARTMENT OF TRANSPORTATION ("DDOT") REPORT. DDOT submitted a report indicating that it had no objection to the application because it concluded that the relief would not result in any adverse impacts to the District's transportation network. (Exhibit 34.) DDOT's report recommended conditions regarding the implementation of transportation demand management and loading management plans, as well as improvement of an existing crosswalk, subject to DDOT Public Space approval.

PERSONS IN SUPPORT. The Board received eight letters from neighbors and local organizations in support of the application. (Exhibits 24-29, 38, 41.)

CONCLUSIONS

Pursuant to Subtitle Y § 604.3, the order of the Board may be in summary form where granting an application when there was no party in opposition. As a summary order, it does not constitute binding legal precedent on the Board and shall not be considered by the Board in evaluating future applications.

Pursuant to Subtitle Y § 704.1, any request for a modification that does not meet the criteria for a modification without hearing[3] requires a public hearing and shall be processed as a modification with hearing. The Applicant's request complies with Subtitle Y § 704, which provides the Board's procedures for considering requests for modifications with hearing.

As directed by Subtitle X § 901.2, Subtitle X § 1002, and Subtitle Y § 704, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case for special exceptions, area variance, and modification with hearing.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested special exception and variance relief can be granted because:

- It is in harmony with the general purpose and intent of the Zoning Regulations and Map;
- It will not tend to affect adversely the use of neighboring property;
- Pursuant to Subtitle X § 901.2(c), the relief satisfies the specified conditions for special exception relief;
- There exists an exceptional or extraordinary situation or condition related to the property;
- The exceptional condition creates a practical difficulty, in the case of an area variance, or an undue hardship, in the case of a use variance, in complying with the Zoning Regulations;
- The relief can be granted without substantial detriment to the public good; and
- The relief can be granted without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

DECISION

Based on the case record and the testimony at the hearing, the Board concludes that the applicant has satisfied the burden of proof for a modification with hearing and the requested relief:

- Modification with Hearing to Board of Zoning Adjustment Order No. 17429, pursuant to Subtitle Y § 704
- Area Variance from the building height setback requirements of Subtitle D § 203.6, pursuant to Subtitle X § 1002
- Special Exception under the loading requirements of Subtitle C § 901.1, pursuant to Subtitle C § 909 and Subtitle X § 901.2
- Special Exception under the private school use permissions of Subtitle U § 203.1(m) and Subtitle X § 104, pursuant to Subtitle X § 901.2

Accordingly, it is **ORDERED** that the application is **GRANTED** consistent with the plans shown in Exhibits 8A1, 8A2, 8A3, 8A4 of the record, as required under Subtitle Y §§ 604.9 and 604.10, subject to the following **CONDITIONS**, which shall replace and supersede the conditions of BZA Order No. 18465 and Condition No. 7 of Order No. 17429:

[3] See, Subtitle Y § 703.7.

1. The number of students shall not exceed 555. This enrollment cap shall apply to Nursery through Grade 8 located on the Whitehaven Campus. The number of staff and faculty shall not exceed 140 persons. The initial student cap shall be 512 students, and the initial faculty/staff cap shall be 130 persons. The final cap numbers of 555 students and 140 faculty/staff shall be permitted once the Applicant satisfies the Sequencing of Monitoring Studies outlined in the Transportation Demand Management Plan noted in Condition No. 15.

2. The Applicant shall file an annual report with the Advisory Neighborhood Commission indicating the total number of faculty and staff, with a breakdown showing how the number of employees is no greater than what is authorized by Condition No. 1.

3. The Applicant shall host quarterly meetings to which the Advisory Neighborhood Commission and the community will be invited.

4. The Applicant shall maintain the evergreen buffer required by Order No. 14009, as amended, to mitigate the visual and aural effects of the gymnasium approved in Order No. 16517.

5. There shall be no exterior lighting of the gymnasium except that required for security and identification purposes.

6. No light fixture attached to the gymnasium or installed in the adjacent parking lot shall be visible from an occupied level of a Berkeley Terrace residence.

7. There shall be no lighting of the playing field. Any lighting of the parking lot shall be installed such that the rays are directed toward the surface of the lot to avoid an impact on adjacent properties.

8. There shall be no sound systems installed outside. Portable sound systems may be used only in connection with school and church events and only during daytime hours, subject to reasonable limitations (or instruction to the coaches or masters of ceremony).

9. The gymnasium roof shall remain free of any fixtures or attachments, such as lights, HVAC equipment, antennas, and satellite dishes.

10. The Applicant shall maintain evergreen trees along the southern edge of the playing field.

11. The school facilities shall be used for school and church purposes only, except that nonprofit 501(c)(3) organizations, such as community groups, may use school facilities subject to a maximum of three times a month. On Saturdays, Sundays, and holidays, the playing field may be used for school or church purposes. Use by non-school, non-church organizations during this time shall be limited to once per month.

12. There shall be a 6:00 p.m. curfew on the use of the playing field.

13. No stadium seating or bleachers shall be constructed either of a temporary or a permanent nature or shall be installed on the playing field level.

14. The Applicant shall install at least five inverted bicycle U-racks in the parking garage.

15. The Applicant shall fully implement and comply with the Transportation Management Plan submitted into the record of BZA Application No. 21541 as Exhibit No. 40.

It is therefore **ORDERED** that the modification request is **GRANTED**, with a revision to Condition No. 7, which shall replace and supersede the prior condition governing the Foxhall Campus:

7. The Applicant shall fully implement and comply with the St. Patrick's Operations Plan, marked in the record for Application No. 17429 as Exhibit No. 86. The use of the Foxhall Athletic Field during this period will be governed by the Temporary Modification Agreement, listed in the record of Application No. 21541 as Exhibit No. 30B, which is in coordination with the construction of the middle school building approved in BZA Application No. 21541.

In all other respects, Order No. 17429 remains unchanged.

VOTE: **4-0-1** (Paul Goldstein, Joseph S. Imamura, Robyn Jackson Wells, Melissa Lindsjo to APPROVE; Michelle Pourciau not present, not participating)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT
A majority of the Board members approved the issuance of this order.

ATTESTED BY: _____
SARA A. BARDIN
Director, Office of Zoning

FINAL DATE OF ORDER: October 21, 2026

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS, UNLESS, WITHIN SUCH TWO-YEAR PERIOD, AN APPLICATION FOR A BUILDING PERMIT FOR THE ERECTION OR ALTERATION APPROVED IS FILED WITH THE DEPARTMENT OF BUILDINGS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 IS FILED PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.10, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

PURSUANT TO 11 DCMR SUBTITLE A § 303, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.