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September 16, 2003

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BY HAND
Mr. Geoffrey Griffis
Chairperson
Board of Zoning Adjustment
441 4th Street, NW, Room 210
Washington, DC 20001

Re: Appeal No. 17085 of Larry & Louise Smith *et al.*
Square 763, Lots 26, 27 & 28
206, 208 & 210 D Street, S.E.

Dear Mr. Griffis:

Enclosed you will find twenty-one copies of exhibit 9 to the appeal filed on Friday, September 12, 2002 for the above-referenced property. Also enclosed is an original and twenty copies of an amended appeal form adding James K. Marsh as an appellant. Mr. Marsh, who was on the agent authorization letter, was inadvertently omitted from the original application.

Thank you for your attention to this matter.

Sincerely,

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

Richard B. Nettler
Jeannine Rustad Zigner

Enclosures (as stated)
cc: Chris Doefler (by hand; w/encl. & original application)
Folger Park North, LLC (by hand; w/encl. & original application)

Word 45645003.1

BZA
Case No. 17085
Exhibit No. 29

Board of Zoning Adjustment
District of Columbia
CASE NO. 17085
EXHIBIT NO. 29

Form 125 – Exhibit 1
(Revised 03/15/02)

Case No. 17085

BEFORE THE BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

(Amended) APPEAL

Notice: See other side of appeal form for instructions

Pursuant to Section (s) §3100 and §3101 of the Zoning Regulations of the District of Columbia, an appeal is hereby taken

from the administrative decision of:	Name of administrative officer and title: See attached list		
made on	Date of decision: See attached list	**, to the effect that**	See attached list

Address(es) of Affected Premises	Square(s)	Lot(s)	Zoning Districts
206 D Street, S.E.	763	26	CAP/R-~~4~~
208 D Street, S.E.	763	27	CAP/R-~~4~~
210 D Street, S.E.	763	28	CAP/R-4

Present use of Property:	Previous use for Pepco substation; currently under construction for proposed use.
Proposed use of Property:	Three (3) two-family flats (1/lot)

Owner of Property:	Chris Doefler &/or Folger Park North, LLC	**Telephone No:**	703-608-3339 or 301-608-0988
Address of Owner:	210 D Street, S.E., Washington, D.C. 20003 or 5000 Gardner Dr., Alexandria, VA 22304		
Name, address and telephone number of lessee:	n/a		

Name, address and telephone number of appellant, if other than owner:	Larry & Louise Smith, 322 2nd Street, S.E.

and Mary Ann Snow & James K. Marsh, 320 D Street, S.E., Washington, D.C. 20003

State specifically manner in which appellant is aggrieved by the administrative decision, the allegations of error in the Administrative decision, and the relevant sections of the Zoning Regulations (see reverse for more detailed explanation).

Please use a separate piece of 8 ½? x 11? To respond and attach it to the Form 125 Appeal.

Date:	September 12, 2003	**Signature:**	Applicant*

** If appeal is filed by agent of the Appellant, Form 125 Appeal shall be accompanied by a letter signed by the appellant authorizing the agent to act on his behalf in this appeal.*

To be notified of hearing and decision:
(Appellant or Authorized Agent)*

Name:	Richard B. Nettler, Esq. & Jeannine Rustad Zigner, Esq. - Robins, Kaplan, Miller & Ciresi L.L.P.				
Address:	1801 K Street, N.W., Suite 1200, Washington, D.C. 20006				
Phone No.:	736-2720 & 736-2718	**Fax No.:**	202-223-8604	**E-Mail:**	rbnettler@rkmc.com/jrzigner@rkmc.com

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.

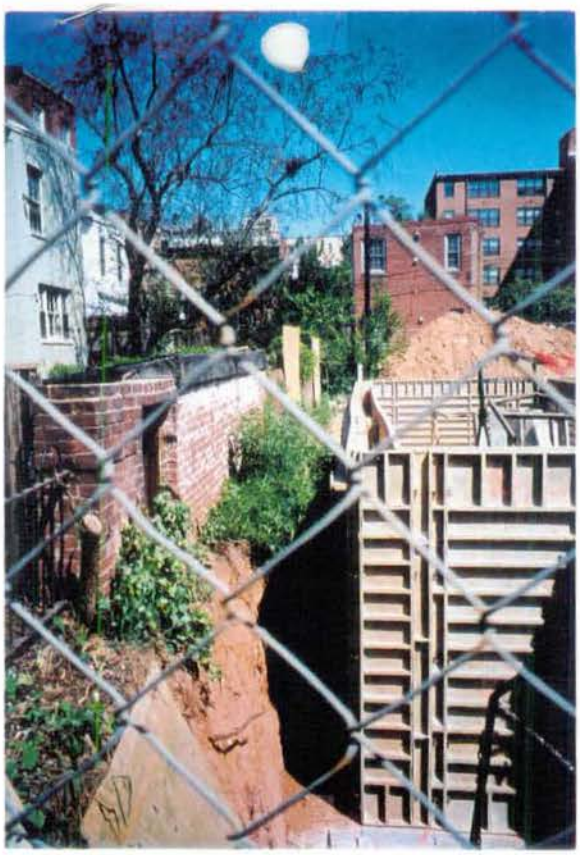






Excavation/Encroachment into Easement

Ex 9



Excavation/Encroachment into easement



Footings + Piping in easement



Closed Alley

Ex 9