March 26, 2004

VIA FACSIMILE

Mr. Geoffrey Griffis,
Chairman, Board of Zoning Adjustment
441 4th Street, NW, Suite 210
Washington, DC 20001

Re: BZA Appeal Number 17092

Dear Chairman Griffis,

This letter is submitted on behalf of the appellants, Stephanie Mencimer, et al., in BZA Appeal Number 17092. With reference to paragraph 4 ("Errata") of my letter to you dated March 24, the appellants find themselves in the unhappy position of having to correct their correction regarding the references to various DC regulations, as follows:

- The references (1) by Ms. Chiu and Mr. Macy on pages 335 and 336 of the official Transcript of the January 20 hearing; and (2) on pages 28 and 29 of the appellants' pre-hearing submission, to the regulation stating that *"no person shall own or keep a dog that, by barking or in any other manner disturbs the quiet of any neighborhood or any person"* are references to 24 DCMR section 900.1.

- The references (1) by Mr. Macy on page 336 of the Transcript; and (2) on page 29 of the appellants' pre-hearing submission, to the regulation stating that chickens (fowl) may not be kept *"within fifty feet (50 ft) of any building used for human habitation"* are references to 24 DCMR section 902.7 (a).

- The references (1) by Mr. Macy on pages 337 and 338 of the Transcript; and (2) on page 29 of the appellants' pre-hearing submission, to the regulation stating that animal pens for chickens (fowl) may not be located *"within two hundred and fifty feet (250 ft) of any property line"* are references to 24 DCMR section 902.7 (b).

- The reference on page 28 of the appellants' pre-hearing submission to the requirements that (1) a permit be obtained to keep five or more mammals; and (2) that persons keeping five or more mammals *"shall not permit objectionable odors or noises to disturb the comfort or quiet of any neighborhood"* are references to section 1809 of Title 8 of the DC Code.

The appellants apologize to the Board, and to counsel for the other parties, for the error over these references. We would like to assure the Board that this was simply a matter of genuinely getting our references crossed and there was no intent to misinform.

Respectfully submitted,

Andrea J. Doughty *On behalf of the Appellants*

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BZA
Case No. 17092
Exhibit No. 76

cc: Ms. Jerrily Kress, Director, Office of Zoning (By fax to: 202-727-6072)
Mr. Bennett Rushkoff, on behalf of DCRA (By fax to: 202-727-6546)
Mr. Edward Donohue, on behalf of WagTime, LLC (By fax to: 202-452-0067)
Ms. Andrea Ferster, on behalf of Mid-City (By fax to: 202-331-9680)

Board of Zoning Adjustment
District of Columbia
CASE NO.17092
EXHIBIT NO.76

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cc:	Ms. Jerrily Kress	(202-727-6072)		
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	Mr. Edward Donohue	(202-452-0067)		
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Date: March 26, 2004 **Pages:** 2 incl. cover

Re: BZA Appeal Number 17092 – Correction

Please find attached a correction to our letter of March 24, 2004.