



## **ADVISORY NEIGHBORHOOD COMMISSION 3E**

**TENLEYTOWN AMERICAN UNIVERSITY PARK  
FRIENDSHIP HEIGHTS**

c/o Lisner Home 5425 Western Avenue, NW Washington, DC 20015

April 6, 2009

VIA FACSIMILE AND EMAIL

Ruthanne G. Miller, Chairperson  
Board of Zoning Adjustment  
441 Fourth Street, NW Suite 210 South  
Washington, DC 20001  
FAX: (202) 727-6072  
EMAIL: [dcoz@dc.gov](mailto:dcoz@dc.gov)

Re: BZA Appeal No. 17745  
**Voluntary Withdrawal**

Dear Chairperson Miller and Members:

Please be advised that Appellant, Advisory Neighborhood Commission ("ANC") 3E, hereby withdraws its appeal in the above-captioned matter.

The Department of Consumer and Regulatory Affairs ("DCRA") building permit issued on August 23, 2007 that was the basis of the instant appeal has been superseded by the issuance of a new permit dated March 27, 2009, rendering the instant appeal moot. ANC 3E withdraws this appeal without prejudice to its right to appeal the March 2009 permit.

Thank you for your attention to this matter.

Sincerely,

Lucy Eldridge  
ANC 3E04, Vice-chair

Cc: Kinley Bray, Arent Fox, LLP, *Attorney for Intervenor Commerce Bank*  
Matthew LeGrant, Zoning Administrator  
Doris Parker-Woolridge, *Counsel for Appellee*  
Matthew Marcou, District of Columbia, Department of Transportation  
Mathew J. Green, Jr., *Counsel for Appellee*

BOARD OF ZONING ADJUSTMENT  
District of Columbia

CASE NO. 17745

EXHIBIT NO. 21

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