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January 8, 2013

VIA HAND DELIVERY

Chairman Lloyd Jordan
Board of Zoning Adjustment
441 4th Street, N.W., Suite 210S
Washington, DC 20001

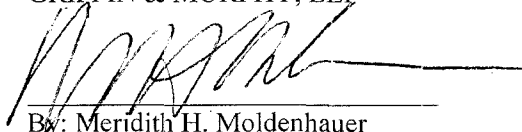
Re: Application No. 18448

Dear Chairman Jordan:

The following request is presented on behalf of 3579 Warder Street, LLC (the "Applicant") in BZA Case No. 18448. Due to a misunderstanding of the e-filing process, I emailed the documents to the Office of Zoning prior to close of business, 6pm, on the deadline Monday January 7, 2013 (see attached email submission). I am now aware that e-filing must be submitted prior to 3pm. Therefore, the Applicant's Findings of Fact and Conclusions of Law are marked as received on January 8th and one day late. Accordingly, the Applicant is respectfully requesting the Board to waive their requirements and accept the late filing of the Findings of Fact and Conclusions of Law.

Under 11 DCMR 3100.5, the Board "may, for good cause shown, waive any of the provisions of this chapter if, in the judgment of the Board, the waiver will not prejudice the rights of any party and is not otherwise prohibited by law." The Applicant emailed all parties with the Findings of Fact and Conclusions of Law as of the filing date. The Applicant respectfully submits that waiver will not prejudice any party. For these reasons, the Applicant respectfully requests that the Board accept the Findings of Fact and Conclusions of Law into the record.

Sincerely,
GRIFFIN & MURPHY, LLP



By: Meredith H. Moldenhauer

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18448

EXHIBIT NO. 39

Board of Zoning Adjustment
District of Columbia
CASE NO.18448
EXHIBIT NO.39