

# SULLIVAN & BARROS, LLP

Real Estate | Zoning | Litigation | Business Law

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October 9, 2012

## **By Electronic Filing**

Board of Zoning Adjustment  
441 4<sup>th</sup> Street, NW  
Suite 210S  
Washington, DC 20001

Re: Additional Information for Appeal No. 18469, including a Request for Waiver of the 14-day Filing Deadline.

Dear Members of the Board,

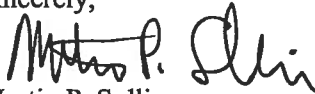
Please accept the attached information from the Appellant in the above-referenced appeal. The Appellant respectfully requests a waiver of the 14-day filing requirement under § 3112.10. The information attached hereto is not information which is new to the Zoning Administrator or the property owners' counsel. This information is mostly public documents already in possession of the other parties to this Appeal. In consideration of the Board's expediting this hearing by three months (effectively waiving the 40-day notice requirement under § 3112.14), and thereby hampering the Appellant's ability to prosecute this Appeal, the Appellant believes a waiver of the 14-day deadline is reasonable, in comparison.

Granting this request does not prejudice the Zoning Administrator or the property owners in any way, since this submission merely provides public documents which were alluded to in the original filing. Furthermore, that original filing comprehensively detailed the Appellant's arguments, which are not expanded upon in this filing. Please find the following attached:

- Exhibit A: copies of the Retaining Wall Permit and Permit Application for both 2334 and 2338 King Place;
- Exhibit B: A copy of the permit applicant's Exhibit F: Revised Proposed Grading/Site Plan;
- Exhibit C: A copy of an e-mail chain included in the Retaining Wall Permit file between the Zoning Division, ZA Counsel, and the property owners' engineer;
- Exhibit D: A copy of one of the Notices to Revoke Building Permit issued to stop work on the Elevated Platform Structure on the subject properties; and
- Exhibit E: Photos showing the artificially elevated starting measuring point for the Elevated Platform Structure.

The Appellant looks forward to having an opportunity to present her argument before the Board.

Sincerely,

  
Martin P. Sullivan

Board of Zoning Adjustment  
District of Columbia  
CASE NO.18469  
EXHIBIT NO.17


## CERTIFICATE OF SERVICE

I hereby certify that on October 9, 2012, a copy of this pre-hearing filing, including Exhibits, was delivered to the following, via e-mail:

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Martin P. Sullivan