

September 18, 2013

VIA EMAIL

Chairman Lloyd Jordan
D C Board of Zoning Adjustment
441 4th Street NW, Suite 210S
Washington, DC 20001

Re BZA Case No 18463 – Motion for Waiver of Notice Requirements

Dear Chairman Jordan and Members of the Board

On August 29, 2013, the Applicant filed a motion for the minor modification of one condition in BZA Order No 18463. Following recent precedent of other similar motions (*See, e.g.*, BZA Case Nos 18335 and 18496), the requested modification was placed on the Board's public meeting agenda for September 24, 2013. Based on the outcome of other similar cases placed on the public meeting agenda, the Applicant understands that the Board may decide to schedule the requested modification for a public hearing.

If the Board decides to schedule a public hearing, then the Applicant requests that the Board waive the hearing notice requirements in Section 3113 and hold the limited public hearing for this modification request on September 24, 2013. The Applicant makes this request in the interest of time and efficiency. The Applicant will already be in attendance on September 24th, the Board will already be familiar with the issues, and the hearing will likely be brief. Further, only two parties originally participated in this case with respect to the condition ANC 6A and the Office of Planning. Both parties opined on the requested modification. The Office of Planning has no objection, and the ANC supports the request. Providing required notice for a hearing at a later date would not invite input from additionally affected parties since there were none in the original case. Indeed, the ANC is the most affected party because the condition at issue was the direct result of an agreement between the ANC and the Applicant. Since both affected parties provided their input on the request, no parties in the original case will have their interests harmed by granting the requested waiver of the notice requirements.

Sincerely,


Cary R. Kadlecsek

BOARD OF ZONING ADJUSTMENT
District of Columbia

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CASE NO. 18463

EXHIBIT NO. 45

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CERTIFICATE OF SERVICE

I hereby certify that on September 18, 2013, copies of the attached letter were delivered via email to the following

ANC 6A
ANC6A@gallaudet.edu

Paul Goldstein
D.C. Office of Planning
paul.goldstein@dc.gov


Cary Kadlecsek