Pillsbury
Winthrop
Shaw
Pittman LLP

2300 N Street, N.W.
Washington, D.C. 20037-1128

Tel 202.663.8000
Fax 202.663.8007
www.pillsburylaw.com

January 30, 2006

ALLISON C. PRINCE
(202) 663-8853
allison.prince@pillsburylaw.com

By Hand Delivery

Ms. Carol Mitten
Chairperson, D.C. Zoning Commission
441 4th Street, N.W.
Second Floor
Washington, DC 20001

RECEIVED
D.C. OFFICE OF ZONING
2006 JAN 31 PM 2:22

**Re: Zoning Commission Case No. 05-19 – Application for Consolidated Review and Approval of a PUD and Zoning Map Amendment Application for 4100 Georgia Avenue, N.W. (Square 2910, Lots 35 and 803) – Request for a Waiver from Section 3013.8 of the Zoning Regulations**

Dear Chairperson Mitten and Members of the Commission:

By this letter, The Neighborhood Development Company, LLC (the "**Applicant**"), respectfully requests a waiver from Section 3013.8 of the Zoning Regulations requiring that no modification to an application to the Zoning Commission shall be made less than twenty (20) days prior to the public hearing. The hearing for Case No. 05-19 is set for February 6, 2006.

The Applicant respectfully requests that the Zoning Commission waive Section 3013.8 and allow the submission of the Applicant's January 23, 2006 submission. Such a waiver is authorized by Section 3000.8 which provides that for "good cause" the Commission may waive any of the provisions of Chapter 30 if, in the judgment of the Commission, the waiver will not prejudice the rights of any party and is not otherwise prohibited by law. Such waiver will allow the Applicant to file, and the Commission to consider, the Applicant's request for a minor modification to the application that features enhancements desired by the Office of Planning, the community, and undoubtedly, future residents of the development.

The Zoning Commission's approval of this waiver will not prejudice the rights of the only party to this application, ANC 4C, because a copy of the Applicant's January 23, 2006 submission was hand-delivered to ANC 4C earlier in the week. Further, the Applicant presented its enhancements to the project to ANC 4C during a meeting on January 28, 2006. No other persons or organizations have submitted any materials into the record in this case.

ZONING COMMISSION
District of Columbia
Case 05-19
Exhibit 20
ZONING COMMISSION
District of Columbia
CASE NO.05-19
EXHIBIT NO.20

The Applicant looks forward to the opportunity to present the case to you. If you have any questions or comments, please do not hesitate to call or email Allison at (202)663-8853 or Jeff at (202)663-8715.

Sincerely,

Allison C. Prince /gcu

Allison C. Prince

Jeffrey C. Utz

Jeffrey C. Utz

Enclosures

cc: ANC 4C
Maxine Brown-Roberts
DDOT
The Neighborhood Development Company, LLC