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September 20, 2006

BY HAND DELIVERY

Carol Mitten, Chairperson
D.C. Zoning Commission
441 4th Street, NW
Suite 210
Washington, DC 20001

Paul Tummonds
Phone: 202.663.8873
paul.tummonds@pillsburylaw.com

**Re: Zoning Commission Case No. 05-23 – PUD and Zoning Map
Amendment - FF Realty, LLC (the “Applicant”)
Revisions to Roof Structure Based on NCPC Comments**

Dear Chairman Mitten and Members of the Commission:

The Applicant recently received comments from representatives of the National Capital Planning Commission (“NCPC”) regarding the proposed roof structures on the two buildings in this project that are 110 feet tall. An issue was raised regarding the lack of setbacks from all exterior walls of the buildings for these roof structures. Enclosed please find a revised roof plan that includes 1:1 setbacks for these roof structures, in compliance with the 1910 Height Act.

It is the Applicant’s understanding that the attached roof plan addresses NCPC’s comments. The tentative NCPC agenda for the October 5, 2006, public meeting has this case listed as a Delegated Item for action by the Executive Director.

Sincerely yours,


Paul Tummonds

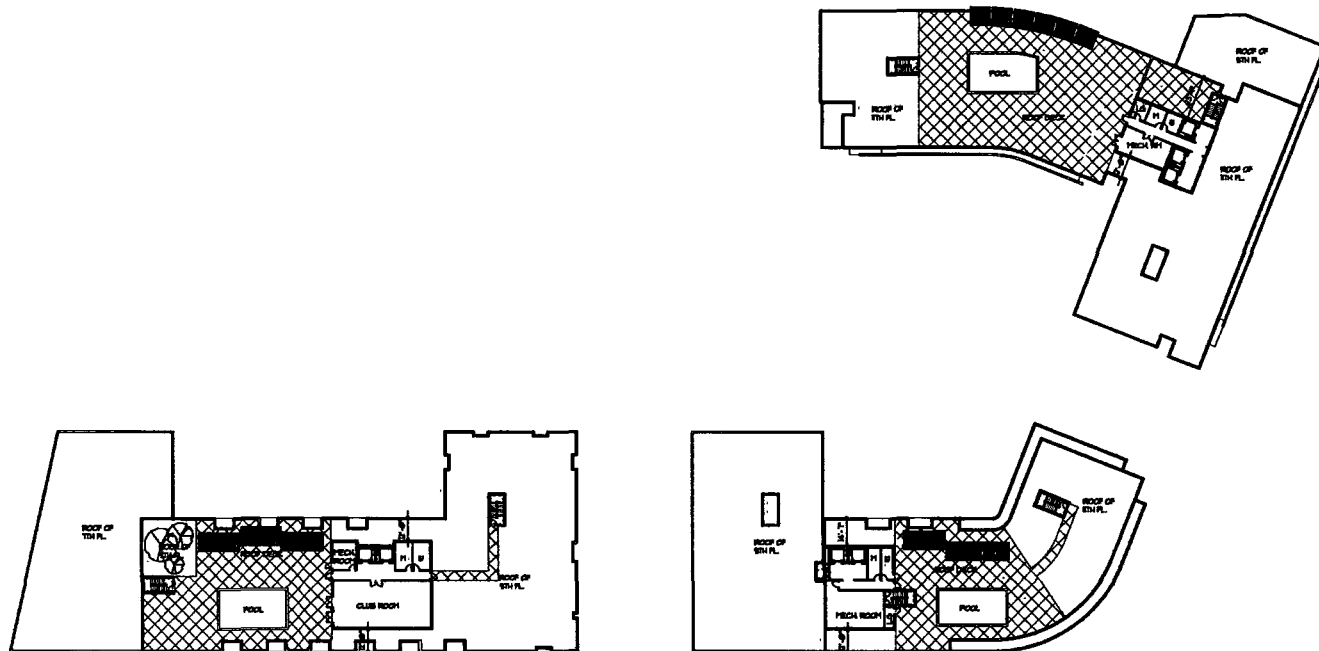
Enclosure

**ZONING COMMISSION
District of Columbia**

CASE NO. 05-23
EXHIBIT NO. 40

**ZONING COMMISSION
District of Columbia
CASE NO. 05-23
EXHIBIT NO. 40**

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FAIRFIELD
RESIDENTIAL LLC

CAPITAL COMMERCE CENTER

WASHINGTON, DC



Scale: 1/32" = 1'-0"

Penthouse

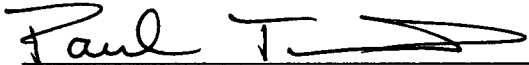
Jun. 21 2008



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this document was hand delivered or mailed first class, postage prepaid to each of the persons at the addresses listed below on September 20, 2006.


Paul Tummonds

Steve Cochran
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