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March 23, 2006

VIA HAND DELIVERY

Ms. Sharon Schellin
Office of Zoning
441 4th Street, NW, Suite 200
Washington, DC 20001

RECEIVED
D.C. OFFICE OF ZONING
2006 MAR 23 PM 12:52

Re: Zoning Commission Case No. 05-26, 2950 Tilden Street, NW PUD
Filing Fee and Draft Notice

Dear Mrs. Schellin:

Enclosed please find a check for \$5,000 as payment of the hearing fee in the above-referenced matter. We calculated the hearing fee pursuant to Section 3041 of the Zoning Regulations as detailed below.

The Zoning Regulations provide two alternative formulas for calculating a hearing fee: one for a zoning change and another for a planned unit development ("PUD"). The greater of the two calculations serves as the hearing fee. See 11 DCMR § 3041.5 ("In the case of an application combining two (2) or more actions described in [Section 3041], the fee charged shall be the greatest of all the fees computed separately.") See also Zoning Commission Order No. 03-12/03-13, p.4 ("Pursuant to § 3041.5, however, in the case of an application combining two or more actions, the fee charged is the greatest of all fees computed separately, or in this instance, \$127,100.")

The greater of the two calculations in this instance is the fee of \$5,000 for the Map Amendment. The Zoning Regulations provide that for each acre, or part thereof, that an applicant requests to rezone to the R-5-C Zone District, the applicant must pay a fee of \$5,000. The subject property is 34,686 square feet in area, less than one acre, thus a fee of \$5,000 is required. For a PUD, the fee is calculated such that for every one hundred square feet of gross floor area devoted to dwelling units, the Applicant must pay a \$5 hearing fee (which is capped at \$50,000). In this application, the Applicant is requesting an entirely residential project with 97,370 square feet of new construction. Thus, the hearing fee for the PUD would be \$4,869.00. Because the fee for the Map Amendment is greater, the hearing fee for this application is \$5,000.00

Sharon Schellin
March 23, 2006
Page 2

Please feel free to contact us should you have any additional questions regarding the calculation of the fee.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Phil Feola".

Phil Feola

A handwritten signature in black ink, appearing to read "Jeff Utz".

cc: Nicole Forrest

Enclosure

Clark Realty Capital LLC

06514 DC Treasurer

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT	DEDUCTION	BALANCE
3/16/06	chkreq0316	zoning commission hear D.C. OFFICE OF ZONING	5000.00	.00	5000.00
2006 MAR 23 PM 12: 52					
CHECK DATE	3/21/06	CHECK NUMBER	1730	TOTAL >	5000.00
				.00	5000.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

WARNING - THIS CHECK IS PROTECTED BY SPECIAL SECURITY FEATURES

Clark Realty Capital LLC

Project Account

2 Bethesda Metro Center, Suite 250

Bethesda, MD 20814

SunTrust Bank
Bethesda, Maryland

DATE
March 21, 2006

CHECK NO.
1730

65-270
550
AMOUNT
\$*****5,000.00

Pay: *****Five thousand dollars and no cents

PAY
TO THE
ORDER OF
DC Treasurer



SECURITY FEATURES INCLUDE MICROPRINTING • VOID PANTOGRAPH • ENDORSEMENT BACKER • BROWNSTAIN CHEMICAL REACTANT