

RECEIVED

D.C. OFFICE OF ZONING

2008 FEB -4 AM 10:00



Commission Members

Presidential Appointees

John V. Cogbill, III, Chairman
Herbert F. Ames
Jose L. Galvez, III

Mayoral Appointees

Arrington Dixon
Stacie S. Turner

Ex Officio Members

Secretary of Defense
The Honorable Robert M. Gates

Secretary of the Interior
The Honorable Dirk Kempthorne

Administrator
General Services Administration
The Honorable Lurita Alexis Doan

Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
The Honorable Joseph I. Lieberman

Chairman
Committee on Oversight
and Government Reform
U.S. House of Representatives
The Honorable Henry A. Waxman

Mayor
District of Columbia
The Honorable Adrian M. Fenty

Chairman
Council of the District of Columbia
The Honorable Vincent C. Gray

Acting Executive Director
Marcel C. Acosta

IN REPLY REFR TO:
NCPC File No. Z.C. 07-13

JAN 30 2008

Mr. Matthew LeGrant
Zoning Administrator
Department of Consumer and Regulatory Affairs
District of Columbia Government
941 North Capitol Street, NE
Washington, DC 20002

Re: Height of Buildings Act of 1910 and ZC Case #07-13

Dear Mr. LeGrant:

I am writing concerning the Zoning Commission's final decision on Case #07-13, in which the National Capital Planning Commission advised the Zoning Commission that the building as designed violates the Height of Buildings Act of 1910 because the penthouse is not properly set back from the building's exterior walls. Although the Zoning Commission did not agree with NCPC's advice in this matter, I thought it was important to bring this matter to your attention as the District of Columbia Department of Consumer and Regulatory Affairs considers whether to permit this building in accordance with the Zoning Regulations.

We are currently working with the District of Columbia Office of Planning through the process to update the zoning regulations in an attempt for our two agencies to develop a common interpretation of the requirements of the Height Act for use in reviewing future projects, and we believe it is important to open a dialog with your office in this matter as well. Toward that end, we would like to schedule a meeting with you regarding both this project and the Height Act generally.

ZONING COMMISSION
District of Columbia

CASE NO. 07-13

ZONING COMMISSION
District of Columbia
CASE NO. 07-13
EXHIBIT NO. 76
EXHIBIT NO. 76

Mr. Matthew LeGrant

Page - 2

The point of contact in our office is Mr. Michael Sherman at (202) 482-7254 or michael.sherman@ncpc.gov. If you can identify a point of contact in your office, we would be pleased to initiate a meeting.

Sincerely,



Marcel C. Acosta
Acting Executive Director

cc: Anthony Hood, Chairman, Zoning Commission of the District of Columbia
Jennifer Steingasser, Deputy Director, DC Office of Planning