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D.C. OFFICE OF ZONING  
2008 FEB -4 AM 10:00



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The Honorable Vincent C. Gray

**Acting Executive Director**  
Marcel C. Acosta

**IN REPLY REFER 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**

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

Mr. Matthew LeGrant

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

Sincerely,

A handwritten signature in black ink, appearing to read "Marcel C. Acosta".

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