GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Delivered by HAND RSN

CORRECTED NOTICE

FEB 2 0 2002

Ivette Basterrechea, Chairperson
Advisory Neighborhood Commission 6A
P.O. Box 76680
Washington, D.C. 20013

Re: BZA Appeal No. 16239

Dear Ms. Basterrechea:

This is to advise you that a public hearing has been scheduled by the Board of Zoning Adjustment to consider the following appeal which is located within the boundaries of your ANC area:

> **Appeal of USA Waste of D.C., Inc.** (formerly known as L.G. Industries, Inc.) pursuant to 11 DCMR §§ 3100 and 3101, from the administrative decision of the Zoning Administrator to withhold the issuance of a certif.-icate of occupancy for a trash transfer station in the C-M-1 and C-M-3 Districts (the subject property was zoned M at the time that the application was filed) at premises 1140 3rd Street, N.E. (Square 748, Lots 8, 9, 10, 11, 42, 43, 809 through 812).

This hearing will be held on Tuesday, March 5, 2002, in Suite 220, 441 4th Street, N.W., Washington, D.C. 20001. This case is scheduled to be heard between 1:00 p.m. and 6:00 p.m. A formal notice of public hearing will appear in the D.C. Register.

You are advised that 11 DCMR Section 3106 sets out certain requirements related to reports of ANCs, and specifically that Section 3106 requires that the written report of the ANC be filed with the Board at least seven days in advance of the hearing. A copy of Section 3115.1 is enclosed.

Information on the procedures which will govern consideration of this case are available from the Office of Zoning, in Suite 210, 441 4th Street, N.W. Washington, D.C. 20001. The telephone number for the Office of Zoning is (202) 727-6311.

BZA
Case No. 16239
Exhibit No. 28

Board of Zoning Adjustment
District of Columbia
CASE NO.16239
EXHIBIT NO.28

If you wish to forward comments in writing directly to the Board, such comments should be addressed to the Board of Zoning Adjustment at 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.

Sincerely,

JERRILY R. KRESS, FAIA
Director

Enclosure

EXCERPT FROM TITLE 11 DCMR, "ZONING

3115 ADVISORY NEIGHBORHOOD COMMISSIONS

3115.1 The written report of the ANC shall be submitted to the Board at least seven (7) days in advance of the hearing and shall contain the following information:

(a) An identification of the appeal or application;

(b) When the public meeting of the ANC to consider the appeal or application was held;

(c) Whether proper notice of that meeting was given by the ANC;

(d) The number of members of the ANC that constitutes a quorum and the number of members present at the meeting;

(e) The issues and concerns of the ANC about the appeal or application, as related to the standards of the Zoning Regulations against the appeal or application must be judged;

(f) The recommendation, if any, of the ANC as to the disposition of the appeal or application;

(g) The vote on the motion to adopt the report to the Board;

(h) The name of the person who is authorized by the ANC to present the report; and

(i) The signature of the chairperson or vice-chairperson of the ANC.

3115.2 The Board shall give "great weight" to the written report of the ANC, as required by No. 1-261, D.C. Code, 1982 ed.

3115.3 In the event the ANC submits its report on the basis of understandings, agreements, or meetings with the appellant, or applicant which later are modified by appellant or applicant, the designated representative of the ANC may comment orally concerning the specific inconsistencies. No other new matters may be presented orally by the designated representative of the ANC.