District of Columbia Government
ADVISORY NEIGHBORHOOD COMMISSION 6A
Vice Chairman, *Daniel M. Pernell, III* (SMD 6A02)
1132 4Th., Street, N.E. Washington, D.C. 20002
Office 202 547-5175 * Fax 202 544-4874

February 20, 2002

D.C. RECEIVED
OFFICE OF ZONING
2002 FEB 22 PM 1:01

Mr. Geoffrey H. Griffs
Chair
Board of Zoning and Adjustment
441 4th Street NW Suite #212
Washington DC 2001

Re: BZA Application No. 16239

Dear Griffs:

Please find enclosed a copy of a notice regarding the appeal of the USA Waste of DC., Inc from the administrative decision of the Zoning Administrator withholding the issuance of a certificate of occupancy. The information sent by the Executive Director for the Board of Zoning and Adjustment was mailed to the wrong ANC address. Also ANC6A has not received other information and speculatively if the information was sent it bared the same incorrect address.

This is a matter of grave concern not only for the NearNorth East community but the entire City. This transfer waste facility is within two hundred ft of homes and other business establishment. The community has a right to address the appeal in a timely manner. ANC 6A did not receive this information until February 13, 2002, we are unable to notify our community and have informational meetings to ascertain community input both from the appellant our community and full ANC

We are requesting that due to this serious over site that the Board of Zoning and Adjustment reschedule this hearing and provide the ANC with correct and timely notification in accordance with the law which will permit the full ANC the opportunity to hear from the appellant and the community. Please send all correspondences directly to our Vice Chairman Daniel M. Pernell III Vice Chairman and SMD representative to 1132 4th Street NE, Washington DC 2002

Sincerely

Daniel M. Pernell III
Vice Chairman ANC 6A
and SMD Representative

Gregory J. Ferrell
Chairman Zoning and Licensing
Subcommittee ANC6A

enclosure:

BZA
Case No. 16239
Exhibit No. 30

Board of Zoning Adjustment
District of Columbia
CASE NO.16239
EXHIBIT NO.30

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

JAN 18 2002

Ivette Basterrechea Chairperson
Advisory Neighborhood Commission 6B
921 Pennsylvania Avenue, S.E.
Washington, D.C. 20003

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 applica-tion 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 3115 sets out certain requirements related to reports of ANCs, and specifically that Section 3115 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.

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