McGuireWoods
Battle & Boothe LLP

The Army and Navy Club Building
1627 Eye Street, N.W.
Washington, DC 20006-4007
Telephone/TDD (202) 857-1700 • Fax (202) 857-1737

Neal J. Cabral
Attorney at Law
Phone: (202) 857-1727
Fax: (202) 857-1737
email: njcabral@mwbb.com

OFFICE OF ZONING
DISTRICT OF COLUMBIA
'97 FEB 21 P4:15

February 21, 1997

Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210
Washington D.C. 20001

VIA HAND DELIVERY

Re: Board of Zoning Adjustment Application
LG Industries - 1140 3rd Street, N.E.

Dear Board of Zoning Adjustment:

On behalf of the applicant in the above referenced matter, it is my pleasure to submit this appeal to the denial of a certificate of occupancy to the Board of Zoning Adjustment (the "BZA"). In particular, you will note that this application contains the following:

1. an application on BZA Form 2;

2. a detailed statement of existing and intended use;

3. a plat drawn by a certified engineer showing the boundaries and dimensions of the existing buildings and accessory buildings; and plans and elevations in sufficient detail to clearly illustrate any proposed building to be erected or altered;

4. four (4) photographs showing front, rear and sides, to the extent possible;

5. the names and mailing addresses of the owners of all property within 200 feet in all directions from all boundaries of the property involved in the application;

6. names and mailing addresses of any persons who lease with the owner all or part of the property (not applicable);

#8
16239

Board of Zoning Adjustment
District of Columbia
CASE NO.16239
EXHIBIT NO.8

7. documentation or a copy of the Certificate of Occupancy showing the last authorized use;

8. a memorandum from the zoning administrator directing the applicant to the BZA prior to filing this application.[1]

9. a check covering the filing fee in accordance with the BZA Schedule of Fees

Please feel free to call me or Christopher D. Bell (703-712-5441) upon receipt if you have any questions or require any additional information.

Sincerely,

Neal J. Cabral

Enclosures

cc: Leo Gutierrez, Sr., President LG Industries, Inc.
Sharon K. Tucker, Esquire
Christopher D. Bell, Esquire

---

[1]LG Industries, Inc. (LGI) never received a signed copy of the Zoning Review Branch's Letter denying the application. LGI called Mitch Burger of DCRA who had Edgar T. Nunley reexecute a copy of the letter on February 4, 1997. This executed copy was personally served on Christopher D. Bell on that date. Pursuant to Mr. Burger, the thirty (30) day period for filing an appeal of this denial that is included in LGI's interim solid waste permit began to run from that date.