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July 24, 2001

BY HAND
Ms. Sheila Cross Reid
Chairperson
Board of Zoning Adjustment
441 Fourth Street, N.W., Room 201
Washington, D.C. 20001

D.C. OFFICE OF ZONING
2001 JUL 24 PM 4:17

Re: BZA Application No. 16407; Square 895, Lot 76 (the "Property")
Withdrawal of Requests to Modify and/or Vacate Order

Dear Ms. Reid and members of the Board of Zoning Adjustment:

On May 2, 2001, the Capital Hill Group ("CHG") filed a Request for Modification of the order in the above-referenced matter (the "Order") so as to (1) reflect the existing conditions with regard to the actual parking provided as well as the number of beds provided and (2) reflect that the Square for which relief was sought was for Square 895 and not Square 865. On June 27, 2001, due to DCRA's indication that they would start issuing fines for $1,000.00 per day for alleged non-compliance of Order No. 16407, CHG filed a Motion to Vacate BZA Order No. 16407, as it has not applied for a certificate of occupancy pursuant to the Order, the conditions in the Order have not been triggered, and it is Order No. 15542 is controlling regarding the number of parking spaces required.

Given the Board's indication that it agrees with CHG's position that the conditions in Order No. 16407 have not been triggered and that Order No. 15542 is controlling regarding the number of parking spaces required, CHG hereby withdraws both its Motion for Modification and Motion to Vacate Order No. 16407.

Sincerely,

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

Jeannine Rustad Zigner

cc: Paul Hart (by facsimile)
Michael Johnson (by facsimile)
Dr. Peter Shin (by facsimile)
Donna Beasley, Esquire (by facsimile)

BZA
Case No. 16407
Exhibit No. 116

Board of Zoning Adjustment
District of Columbia
CASE NO.16407
EXHIBIT NO.116