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December 28, 2000

**BY HAND**

Ms. Jerrily R. Kress, FAIA
Director
Board of Zoning Adjustment
441 Fourth Street, N.W., Room 201-S
Washington, D.C. 20001

Re: BZA Application No. 16407
700 Constitution Avenue, N.E.

Dear Ms. Kress:

We are in receipt of the notice to appear before the BZA on February 13, 2001, for a rehearing of a minor modification to the order in the above-referenced matter. The notice indicates that the Applicant must post a sign on the property at least 15 days prior to the hearing. However, we do not understand why the Applicant is required to post a sign regarding the rehearing.

First, the modification to be reheard is a minor modification, which was granted at a BZA public meeting and, as such, did not require posting of notice. Since the original request for the modification did not require posting, the rehearing of that modification similarly should not require posting, as distinct from notice to only those who were parties at the original special exception proceeding.

More importantly, the Applicant did not request the rehearing but, rather, the rehearing is as a result of the request of ANC 6A. Consequently, to the extent that any posting of notice is required, such posting should be the responsibility of ANC 6A, the party requesting the rehearing.

If you have any questions regarding this matter, please do not hesitate to contact us.

Sincerely,

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

Richard B Nettler by JRZ

Richard B. Nettler

Jeannine Rustad Zigner

BZA
Case No. 16407
Exhibit No. 67

Board of Zoning Adjustment
District of Columbia
CASE NO.16407
EXHIBIT NO.67