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June 26, 2001

**BY HAND**

Ms. Sherri M. Pruitt
Secretary
D.C. Board of Zoning Adjustment
441 Fourth Street, N.W.
Suite 210
Washington, D.C. 20001

**Re: BZA Application 16521**

Dear Ms. Pruitt:

This firm is counsel to Mrs. Mildred R. Crary, the immediately adjacent property owner, party in opposition to this Application, successful Appellant in the underlying BZA Appeal No. 16405 and an interested party in the related and yet unscheduled BZA Appeal No. 16679.

Recently, we have received the attached Zoning Administrator's April 23, 2001 notes and computation sheet in this BZA Application which was requested by the Board [compare with February 29, 2000 letter from Zoning Administrator, attached also]. A review of this new information, appears to indicate that the Applicant requires additional zoning relief not previously identified in this Application which was originally self-certified and repeatedly revised based on several corrected surveys submitted at the Board's request. Specifically, the Zoning Administrator now finds that an additional variance under 200a.3(b) (Item No. 3 in his letter) is required which was not previously part of this case and was not properly noticed at any time in these proceedings.

Based on this additional zoning relief required, the Applicant has failed to meet its burden of proof and the Application should be DENIED. Significantly, the Zoning Administrator also notes that the

BZA
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Exhibit No. 76

Board of Zoning Adjustment
District of Columbia
CASE NO.16521
EXHIBIT NO.76

Applicant **"constructed the front porch addition outside the scope of DCRA permits and zoning approval. Also, my investigation concluded that DCRA/OZA Staff reviewed and approved permits based upon misinformation provided by the applicant."** These conclusions are consistent with the long established facts set forth in the Board's Order in Appeal No. 16405 (attached).

Very truly yours,

GREENSTEIN DELORME & LUCHS, P.C.

By: _____
John Patrick Brown, Jr.

JPB/sp
Enclosure
cc: Allison C. Prince, Esq.
Advisory Neighborhood Commission 3D
Mr. William Harrop, Spring Valley-Wesley Heights Citizens Association
Mr. George Watson, Wesley Heights Historical Society

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