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February 18, 2000

'00 FEB 23 A8:50

VIA FACSIMILE AND FIRST CLASS MAIL

George R. Clark, Esq.
Reed Smith Shaw & McClay, LLP
1301 K Street, N.W.
Suite 1100 - East Tower
Washington, DC 20005-3317

Re: ***BZA Appeal No. 16533; 4512 28th Street, N.W.***

Dear George:

At the hearing, Mrs. Reid, the Chairperson, and other Board Members went out of their way to encourage the parties to reach a common sense resolution in this matter. Based on my experience in numerous appeal cases, this is very sound advice.

On several occasions, both verbally and in writing, including my December 3, 1999 letter (enclosed), I have expressed my client's willingness to meet to discuss a mutually agreeable resolution of this matter. Unfortunately, you and the other neighbors you represent, have been unwilling to enter into this type of dialogue. With the Board's encouragement, I ask you to reconsider this position.

While my clients are unwilling to remove any part of the structure which has been constructed pursuant to valid building permits in accordance with the Zoning Regulations, I think you will find them open-minded to a variety of reasonable suggestions which may respond to the neighbors' individual concerns. I invite you to think outside the box and consider all the possible opportunities that may exist.

Given the procedural status of the appeal, I believe action on a mutually agreeable resolution should be pursued immediately and certainly no later than the continued hearing date. At your earliest convenience, please forward a list of proposals for my client's prompt consideration.

BZA
Case No. 16533
Exhibit No. 29

Board of Zoning Adjustment
District of Columbia
CASE NO.16533
EXHIBIT NO.29

While a mutually agreeable resolution is clearly preferable and in the best interest of everyone involved, my clients will continue to pursue their legal rights in obtaining a favorable decision from the Board.

Thank you for your renewed consideration in this matter. I look forward to hearing from you as soon as possible. If you have any questions, please do not hesitate to contact me.

Very truly yours,

GREENSTEIN DELORME & LUCHS, P.C.

By: _____
John Patrick Brown, Jr.

JPB/dmh 131532
Enclosures

cc: Forest Hills, LLC (w/o encls.)
Mr. Philip Kogan, ANC 3F (w/encls.)
The Board of Zoning Adjustment (w/encls.)

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December 3, 1999

VIA HAND DELIVERY

George R. Clark, Esq.
Reed Smith Shaw & McClay, LLP
1301 K Street, N.W.
Suite 1100 - East Tower
Washington, DC 20005-3317

Re: BZA Appeal No. 16533;
4512 28th Street, N.W.

Dear George:

As promised, I am forwarding copies of the following documents:

1. Approved permit drawings for the June 7, 1999 Building Permit; and

2. Approved permit drawing for the revised Building Permit dated September 17, 1999.

As has always been the case, this project will proceed to completion in accordance with all applicable laws and regulations. As part of the construction process, the project will be subject to all interim and final inspections and approvals.

Prior to the BZA hearing which has not been scheduled, my client remains willing to sit down with the Neighbors to discuss a mutually agreeable resolution to the Appeal. Such discussions will enable the parties to focus on issues of importance which go beyond the strict and narrow interpretation of the Zoning Regulations which will be the sole focus of the Board of Zoning Adjustment's inquiry.

Finally, I want to respond to the three (3) issues raised in your November 28th letter to me. First, it is my understanding that the "No Parking - Will Tow" signs were installed by Washington Gas and are its sole responsibility. Second, the work related to the garage is proceeding in accordance with the approved Building Permit and a copy of the plans are attached

for your review. Third and similarly, the "mini-deck" is part of the approved Building Permit and has been determined to be in compliance with all applicable requirements by the District.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

GREENSTEIN DELORME & LUCHS, P.C.

By: _____
John Patrick Brown, Jr.

JPB/dmh 126694
Enclosures

cc: Forest Hills, LLC (w/o encls.)
Mr. Philip Kogan, ANC 3F (w/encls.)