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VIA HAND DELIVERY

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

Re: BZA Application No. 16576
5212 Upton Terrace, N.W.

Dear Members of the Board:

Pursuant to §3113.10 of the Rules of Practice and Procedure before the Board, on behalf of the Applicants, Toni and Lee Verstandig, this is to withdraw the above referenced application before the BZA. For the record, the reason for the withdrawal is that a variance from the rear yard is not required, since the rear yard fully complies with the Zoning Regulations, as confirmed by the Office of the Zoning Administrator. Inadvertently, the rear yard had previously been computed on the assumption that the depth of the rear yard was a simple linear measurement, rather than the mean distance, as set forth in the definition of "depth of rear yard" in §199.1 of the Zoning Regulations and as consistently interpreted and applied by the Zoning Administrator. The property conforms with all the requirements of the Regulations for the R-1-A District and no relief is therefore required from the BZA.

BZA
Case No. 16576
Exhibit No. 41

Very truly yours,

HOLLAND & KNIGHT LLP

Whayne S. Quin

WSQ:pjb
cc: Advisory Neighborhood Commission 3D
Michael and Theresa Gardner
John and Colleen Williams

Board of Zoning Adjustment
District of Columbia
CASE NO.16576
EXHIBIT NO.41