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July 5, 2000

Sheila Cross Reid, Chair
Board of Zoning Adjustment
Room 210
441 4th Street, N.W.
Washington, DC 20001

Re: BZA Case No. 16586, Alban Towers, 3700 Massachusetts Ave, N.W.
Square 1929, Lots 13, 14, 803-5

Dear Ms. Reid:

The following individuals, all close neighbors of the Alban Towers Project who had requested party status in this case, wish to inform the Board that they support the special exception and variance being requested by Charles E. Smith development company in connection with renovation of the Alban Towers Apartments and construction of a garage and 15 town homes at the rear of the apartment building on 38th Street.

The Neighbors and the Developer have reached an agreement which they wish to have incorporated in the BZA Order by reference as follows:

> The terms and conditions of a certain agreement between SMITH and undersigned neighbors, dated July 5, 2000, are incorporated in this order as though fully set forth herein and shall be enforceable in the same manner as any other condition contained in an order of this Board.

Notwithstanding the Neighbors do not intend to appear at the hearing, the Board is requested expressly to grant them party status based on the following: (a) their proximity to the project, (b) the loud noise of the construction which will affect those closest to it more profoundly than those a block or two away, (c) the vibrations of the excavation trucks rolling up 38th, Garfield, and Cathedral Streets, which will affect the undersigned neighbors more than other residents, (d) the size and closeness of the fifteen semidetached single family houses, each of which will affect a different one of the seven neighbors on 38th Street uniquely, (e) the entrance to the garage which will affect the Neighbors on Garfield Street uniquely, and the noise of the trucks entering the construction site, which will affect the Neighbors on Cathedral Ave uniquely. Finally, it should be noted that the Developer specifically requested these neighbors to work together to negotiate

BZA
Case No. 16586
Exhibit No. 33

Board of Zoning Adjustment
District of Columbia
CASE NO.16586
EXHIBIT NO.33

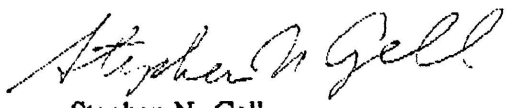
an agreement because of the Developer's recognition of the unique impact of various aspects of the project on these Neighbors.

Christian P. Westermann, 2912 38th St., N.W.
Robert Mattox and Johara Alatas, 2914 38th St., N.W.
Lars H. Hydle, 2918 38th St., N.W.
Ciro De Quadros, 2920 38th Street, N.W.
M. Jon Vondracek, 2924 38th Street, N.W.
Dorothy K. Ballas, 2926 38th St., N.W.
Jeremiah Norris, 3708 Massachusetts Ave, N.W.
Marie Shanley, 3801 Garfield St., N.W.
Christopher M. Jones, 3805 Garfield St., N.W.
Barton C. Abbott, 3808 Cathedral Ave, N.W.
*Neill Heath, 3819 Cathedral Ave, N.W.

*Involved in the negotiating process but not reachable for acceptance of the final negotiated agreement.

Thank you for your assistance.

Yours very truly,



Stephen N. Gell