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Board of Zoning Adjustment
441 4th Street N.W., Suite 210
Washington, D.C. 20001

Re: BZA Appeal No. 16646

Dear Board Members:

This is in response to the appellants request that a decision in this case be further postponed pending further action by the Department of Public Works ("DPW"). The request should be denied.

As discussed in more detail in Interrenor's Response to Record Supplement of Apellants, the issue of DPW's authority with respect to the subject property and the building thereon is simply not relevant to this zoning appeal. Moreover, a decision by the BZA will not preclude further action by DPW to acquire a portion of the subject property to ensure public use of the entire paved portion of Northhampton Street or an adjacent sidewalk. The building at issue in this case has already been constructed and does not extend into this portion of the property.

Intervenors are entitled to a resolution of this appeal on the record.

Sincerely,

Cynthia A. Giordano
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Attorneys for Intervenors

BZA
Case No. 16646
Exhibit No. 39

Board of Zoning Adjustment
District of Columbia
CASE NO.16646
EXHIBIT NO.39