BZA 16646

ARNOLD & PORTER

Memorandum

To: Jerrily Kress

From: Cynthia A. Giordano

Date: April 26, 2001

Re: *5655 Moreland Street, N.W.*

The Shiners and I would like to meet with you to discuss how we can put this issue to bed (*i.e.*, what does the BZA now need from Michael Johnson).

Attachment

cc: Michael Johnson
Tom and Linda Shiner

2001 APR 26 PM 12:59
D.C. OFFICE OF ZONING

BZA
Case No. 16646
Exhibit No. 40

Board of Zoning Adjustment
District of Columbia
CASE NO.16646
EXHIBIT NO.40

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF PUBLIC WORKS



received
4-25-01

Division of Transportation

April 23, 2001

Cynthia A. Giordano, Esq.
Arnold & Porter
Thurman Arnold Building
555 Twelfth Street, N.W.
Washington, D.C. 20004

Re: Decision and Order in Appeal No. 16646

Dear Ms. Giordano:

Enclosed please find a copy of the letter that the Department of Public Works, District Division of Transportation has submitted to Michael Johnson, Zoning Administrator, Department of Consumer and Regulatory Affairs, in regard to the above-referenced matter.

Should you have any questions, please feel free to contact me at (202) 671-2628 or Sherrie D. Clayborne, Attorney Advisor, at 671-2406. Thank you for your time and consideration.

Sincerely,

Michelle Pourciau
Deputy Director

Enclosure

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF PUBLIC WORKS

Division of Transportation

April 23, 2001

Michael D. Johnson
Zoning Administrator
Building and Land Regulation Administration
Department of Consumer and Regulatory Affairs
941 North Capitol Street, N.E., Suite 2000
Washington, D.C. 20002

Re: Decision and Order in Appeal No. 16646

Dear Mr. Johnson:

This is written in regard to the Decision and Order rendered in Appeal No. 16646 by the D. C. board of Zoning Adjustment. Please be advised that the Department of Public Works, District Division of Transportation ("DDOT") has reviewed Building Permit Nos. B426044 and B428648 which were submitted by the owners of the subject property located at 5655 Moreland Street, N.W. (Square 2307, Lots 801 and 802). Accordingly, DDOT finds the following:

1. A portion of the subject property is currently being used as a public road;

2. That portion of the subject property needs to be brought into the District's Right-of-Way system. DDOT will negotiate with the property owners. Please be advised that by copy of this letter, DDOT requests that the D.C. Office of Property Management take action to initiate the formal acquisition of the property.

3. The enclosed document shows the area of the subject property needed for roadway purposes, which includes space for a travel lane, curb and gutter, and sidewalk. Please be advised that by copy of this letter, DDOT requests that the D.C. Office of the Surveyor prepare official plats. In addition, DDOT requests that your office conduct the appropriate zoning analysis and determine where the appropriate lot or building restriction lines should be established, if any.

With respect to the issue of condemnation, please be advised that the D.C. Office of the Corporation Counsel has determined that although condemnation of a portion of the subject property was clearly contemplated in 1965, proceedings did not actually begin. Thus, DDOT will work with the appropriate D.C. Government agencies to determine the best method to bring the property into the District's Right-of-Way system. Please be advised that negotiations, the finalized surveyor's plat, and acquisition can not proceed until receipt of your determination of the appropriate lot or building restriction lines, if any.

Should you have any questions, please feel free to contact me at (202) 671-2628. Thank you very much for your time and consideration.

Sincerely,

Michelle Pourciau
Deputy Director

Enclosure

cc: Roland Driest
Office of the Surveyor

Patricia Young, Esq.
Office of the Corporation Counsel

Timothy Dimond
Office of Property Management

MULTI-ADDRESS FACSIMILE TRANSMISSION SHEET

ARNOLD & PORTER

Thurman Arnold Building
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Washington, D.C. 20004-1206

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Date: April 26, 2001

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Jerrily Kress	202 727-6072		
Michael Johnson	202 442-4871	202 442-9554	
Linda & Tom Shiner	202 275-1886	202 275-1954	

SENDER	SENDER'S TELEPHONE #	SENDER'S ROOM #
Cynthia A. Giordano	202 942-5840	1012

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MESSAGE

Please see attached.

TH