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February 19, 2003

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D.C. BOARD OF ZONING
2003 FEB 20 PM 2:19

BY TELECOPIER AND HAND-DELIVERY

Mr. Geoffrey H. Griffis
Chairperson
Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210
Washington, D.C. 20001

Re: BZA Appeal No. 16679

Dear Mr. Griffis:

As you recall, this firm is *pro bono* counsel for the Spring Valley-Wesley Heights Citizen's Association, the Appellant, in the above-referenced case. This matter was originally scheduled for a hearing on December 3, 2002, but the property owner, Mr. Charles A. Sisson, filed a Petition for Rehearing and/or Petition for Rehearing *En Banc* with the D.C. Court of Appeals in the underlying BZA Appeal Decision 16405.

On February 13, 2003, the Court of Appeals denied Mr. Sisson's Petition for Rehearing and/or Petition for Rehearing *En Banc* (Order enclosed). Based on the Court's decision, its affirmance of the Board's decision in BZA Appeal 16405 is final. Therefore, the Board's consideration of the current appeal is not only ripe, but long overdue having been pending since November 2000. The Appellant respectfully requests that the Board schedule a hearing in Appeal No. 16679 at the earliest opportunity.

BZA
Case No. 16679
Exhibit No. 26

Board of Zoning Adjustment
District of Columbia
CASE NO. 16679
EXHIBIT NO. 26

Thank you for your prompt attention in preceding with this matter. 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/sp
Enclosure
cc: Mr. William C. Harrop, President,
Spring Valley Wesley Heights Citizens Association
Mrs. Mildred R. Crary
Mr. George E. Watson, III, President,
Wesley Heights Historical Society
Mr. John W. Finney, Chair, ANC 3D
Ms. Stephen S. Griswold
Mr. Robert W. Kelly, Zoning Administrator
Maureen E. Dwyer, Esq.

200629

District of Columbia Court of Appeals

FEB 13 2009
DISTRICT OF COLUMBIA COURT OF APPEALS

No. 00-AA-97

CHARLES SISSON,

Petitioner,

v.

DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT,

Respondent;

MILDRED R. CRARY,

Intervenor.

BEFORE: Wagner, Chief Judge; Terry, Steadman, *Schwelb, Farrell, Ruiz, *Reid, Glickman, and *Washington, Associate Judges.

ORDER

On consideration of petitioner's petition for rehearing or rehearing en banc, and the statements of respondent and intervenor thereto, it is

ORDERED by the merits division* that the petition for rehearing is denied; and it appearing that the majority of the judges of this court has voted to deny the petition for rehearing en banc, it is

FURTHER ORDERED that the petition for rehearing en banc is denied.

PER CURIAM

Chief Judge Wagner and Associate Judge Glickman would grant the en banc petition.

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