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June 8, 2001
Via Fax to (202) 442-4871

Michael D. Johnson
Zoning Administrator
Government of the District of Columbia
941 North Capitol, NE
Suite 2700
Washington, DC 20002

Re: BZA Application No. 16696

Dear Mr. Johnson,

The ANC was kind enough to give me a copy of your June 5 letter after my presentation at ANC meeting. Since it claimed to copy me, please note your copy has never been received. Please also note that all protesting parties had copies prior to the meeting.

Under generally accepted principles of administrative law, a height or use variance for a twenty foot addition to an accessory building would be unnecessary under Code Sections 320.1 and 321.1, if a property qualifies under Code Sections 403.2. We did not have a copy of your letter in sufficient time prior to our ANC presentation to address your interpretation of the Zoning laws. We used the short time provided by the ANC to address all the actions we had taken to address neighborhood concerns about parking, rental units, height and density. Consequently, we were unfairly disadvantaged in our presentation before the ANC.

In the future, please feel free to call me at 202-333-3288 or fax me at (202) 333-3266.

Respectfully,

Craig Goodman

BZA
Case No. 16696
Exhibit No. 39

Cc via fax: Rick Nero, Board of Zoning Appeals, Maxine Roberts, Office of Planning

Board of Zoning Adjustment
District of Columbia
CASE NO.16696
EXHIBIT NO.39