ShawPittman LLP

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February 13, 2004

2004 FEB 13 AM 11:15
BOARD OF ZONING ADJUSTMENT

VIA HAND DELIVERY

Richard A. Nero
Office of Zoning
441 4th Street, N.W.
Room 210
Washington, D.C. 20001

Re: Board of Zoning Adjustment ("BZA") Appeal No. 16701

Dear Mr. Nero:

In Appeal No. 16701, the West End Citizens Association ("**WECA**") and Advisory Neighborhood Commission ("**ANC**") 2A appealed the ruling of the Zoning Administrator with regard to The George Washington University's ("**University**") purchase and construction of a Planned Unit Development ("**PUD**") that was originally issued to the Associated General Contractors of America at the premises 1957 E Street, N.W. The BZA upheld that appeal, ruling that the Zoning Administrator had exceeded his authority with regard to approving a building permit which was inconsistent with the previously approved PUD plans. Upon Motion by the University, the BZA, in Order No. 16701-A, ordered a temporary Stay of the Order. The BZA, in Order No. 16701-B, issued an additional Stay extending it pending Zoning Commission action with regard to the University's PUD modification request.

It has come to our attention that this matter is still open before the BZA and the University hereby formally notices the BZA that the Zoning Commission Order Nos. 746C and 746D renders the BZA Orders for the Stay moot. Thus, the BZA Appeal No. 16701 may be closed.

If you have any further concerns or comments please feel free to contact me.

Sincerely,

Phil Feola

cc: Charles Barber

BZA
Case No. 16701
Exhibit No. 85

Board of Zoning Adjustment
District of Columbia
CASE NO.16701
EXHIBIT NO.85

ShawPittman LLP

Certificate of Service

I hereby certify that on February 13, 2004 a copy of the foregoing letter was mailed first class, postage prepaid as follows:

West End Citizens Association
c/o Barbara Kahlow
2555 Pennsylvania Avenue, N.W.
Apt. No. 404
Washington, D.C. 20037

ANC 2A
St. Mary's Court
725 24th Street, N.W.
Washington, D.C. 20037

Phil Feola

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