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February 28, 2002

Geoffry H. Griffis
Chairman, Board of Zoning Adjustment
441 4th Street, NW, Room 210 South
Washington, DC 20001

Re: Appeal No. 16716B

Dear Chairman Griffis:

I am writing to request reconsideration based on errors in the ORDER ON MOTIONS FOR RECONSIDERATION AND REHEARING, Appeal No. 16716B, mailed Feb. 15, 2002, received Feb. 26, 2002 (receipt was delayed as 2/18 was a holiday and following that I was out of town). I am sending a copy by FAX, 2/26/02 and hard copy by mail. Please note that the FAX response is timely.

Request for reconsideration is based on the following:

1. Errors in basement FAR calculation evaluation: The Zoning Administrator ("ZA") did not specifically document points of measurement in his FAR calculations. The appellants' architect expert witness did not use "contours of the site" in his calculation, as stated. Both used a perimeter method. **Differences in total perimeter calculation and total garage level square footage between the ZA's calculation and appellant expert's calculation are not substantial. Reliance on a ceiling 4 feet below the first floor slab in the garage and on measuring the external grade at the top of the concrete patio/stair are required for the ZA/Intervenor's 11% basement FAR calculation compared to the architect's 30% calculation.** The record shows no such ceiling. The elevated rear concrete patio/stair does not represent adjacent grade. The basement contribution to FAR brings building FAR over allowed 3.5

2. Error in concluding the south stairwell penthouse was setback under mansard roof: The South Elevation, longitudinal cross-section and floor plans clearly show the **face of the stairwell penthouse continues up from the southern face of the building**. It is not setback from external wall and is under regular roof rather that the so-called mansard roof. The same penthouse set-back requirement applies to the stairwell penthouse as applies to elevator penthouse. **The stairwell penthouse setback is not in compliance.**

3. The applicants chose **two building fronts** on two different streets. (In addition, the applicants chose one of those two fronts as the front for height measurement.) Their setback calculations depend on this interpretation. The ZA testified (BZA hearing, Aug. 3, 2001) that the zoning regulations do not specifically allow two fronts of the building. The Board erred in accepting two fronts of this building.

Reconsideration of these issues is respectfully requested.

Yours truly,

Anne Page Chiapella

Anne Page Chiapella
President, Nebraska Avenue Neighborhood Association
5126 Nebraska Avenue, NW
Washington, DC 20008

BZA
Case No. 16716
Exhibit No. 68

Board of Zoning Adjustment
District of Columbia
CASE NO.16716
EXHIBIT NO.68

FAX

To: Geoffry H. Griffis
Chairman, Board of Zoning Appeals
FAX: 202-727-6072

From: Page Chiapella
President, Nebraska Avenue Neighborhood Association

Re: Appeal No. 16716B

Attached is a letter requesting reconsideration.

FAX Transmission ok; pages 2; date 2/28/02; time 16:55; transmission time 0'27;
Attached.

copy

CERTIFICATION

I certify that a copy of this letter was sent by first class mail, postage prepaid, on March 1, 2002 to the following:

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Anne Page Chapelle 3/1/02
Signed Date