Government of the District of Columbia

OFFICE OF ZONING

441 4TH STREET, N.W.
SUITE 210
WASHINGTON, D.C. 20001
(202) 727-6311

March 15, 2002

Anne Page Chiapella
President
Nebraska Avenue Neighborhood Association
5126 Nebraska Avenue, N.W.
Washington, D.C. 20008

Re: BZA Appeal No. 16716-B, Request for Reconsideration of Order On Motions for Reconsideration and Rehearing

Dear Ms. Chiapella,

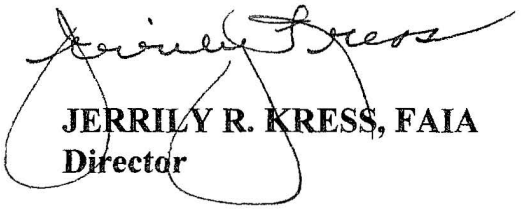
At its executive meeting on March 12, 2002, the Board authorized me to return your letter, dated February 28, 2002, in which you asked the Board to reconsider its Order, dated February 15, 2002, on your Motion for Reconsideration and Rehearing. Contrary to your interpretation of the provisions of 11 DCMR § 3126.2, the Board's rules do not permit reconsideration of an order on a motion for reconsideration. The Board's rules define a "decision" as "the concurring vote of at least a full majority of the Members with respect to any **application** or **appeal** filed with the Board." (emphasis added) 11 DCMR § 3199.1. The rules define an "order" as "a written order of the Board evidencing its **decision** on an **application** or **appeal**." (emphasis added) 11 DCMR § 3199.1. The Board's decision to deny your original motion for reconsideration was not a decision upon an application or an appeal and therefore, may not be reconsidered pursuant to § 3126.2.

BZA
Case No. 16716-B
Exhibit No. 71

Board of Zoning Adjustment
District of Columbia
CASE NO.16716
EXHIBIT NO.71

Accordingly, the Board will not reconsider its Order denying the original motion for reconsideration and rehearing.

Sincerely,



JERRILY R. KRESS, FAIA
Director

cc: See Attestation Sheet - Attached

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Letter to Anne Page Chiapella - BZA Application No. 16716-B

As Director of the Office of Zoning, I hereby certify and attest that on MAR 15 2002 a copy of the attached letter was mailed first class, postage prepaid or delivered via inter-agency mail, to each party and public agency who appeared and participated in the public hearing concerning the matter, and who is listed below:

Anne Page Chiapella, President
Nebraska Avenue Neighborhood
Association
5126 Nebraska Avenue, N.W.
Washington, D.C. 20008

Anne Mohnkern Renshaw, Chairperson
Advisory Neighborhood Commission 3G
Chevy Chase Community Center
P.O. Box 6252
Washington, D.C. 20015

Marilyn Holmes, Commissioner 3G07
Advisory Neighborhood Commission 3G
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ATTESTED BY: _____
JERRILY R. KRESS, FAIA
Director, Office of Zoning