GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Building and Land Regulation Administration
Office of the Zoning Administrator

August 17, 2001

Mr. Curt Pendelton, Comcast Area Vice President
C/o Mr. Maurice Smith, Comcast Director of Regulatory Affairs
Comcast Cablevision of the District of Columbia
900 Michigan Avenue, N.E.
Washington, D.C. 20017

Fax # (202) 832-2183

Re: 6300/6310 Piney Branch Road, NW

Dear Mr. Pendelton:

I am writing to inform you about the basis for the Stop Work Order, issued on August 10, 2001, by the Building and Land Regulation Administration, at the above referenced property.

Although the initial zoning review approved the project and permits were subsequently issued, upon reexamination, I have determined to reverse the decision of this Office. I base my decision on the following:

The use provisions of DCMR Title 11, Section 201.2 (d), allows one or more antennas enclosed entirely on all sides within a building as a matter of right. Such antennas, however, may not be designed for commercial broadcasts and or transmission, which is the case in this instance. Accordingly, I have made the determination that the more applicable section of the Regulations, in this case, is Section 211.1 of Title 11. Section 211.1 allows the use of an antenna for commercial television and frequency modulation or use of buildings for transmission or reception equipment on the same lot or elsewhere, provided the Board of Zoning Adjustment (BZA) grants Special Exception Relief in accordance with the conditions specified in Section 3104 of Title 11.

In order to expedite your review before the BZA, I am recommending you file directly with the BZA through the "direct filing process", by contacting Ms. Jerrily Kress, Director, Office of Zoning at (202) 727-6311. Their address is 441 4th Street, NW, Suite #210 South.

BZA
Case No. 16784
Exhibit No. 7

Board of Zoning Adjustment
District of Columbia
CASE NO.16784
EXHIBIT NO.7

In order to assist your effort, I have contacted OZ and requested an expedited review. I have received assurance that OZ staff will do everything possible, to see that my request is adhered too.

In closing, I realize our codes have not kept step with recent technological advancements. To this end, the Office of the Zoning Administrator is willing work to with the industry, sister agencies and others in the community to update and improve our regulations. Should you have any questions, please call me at 442-4576.

Respectfully,

Michael D. Johnson
Zoning Administrator
District of Columbia

cc:

David A. Clark, DCRA Director
Theresa Lewis, DCRA Deputy Director
Gregg Love, BLRA Administrator
Denzil Noble, Deputy BLRA Administrator
Karen Edwards, DCRA General Counsel
Toye Bello, Chief, Zoning Review Branch
Jerrily Kress, OZ Director
Andy Altman, Director, Office of Planning
Darryl Anderson, Executive Director, OCT&T
Donna Rattley, Comcast Attorney

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Comcast SWO Letter080901/ZAInter