ANC 3F Forest Hills/North Cleveland Park

October 8, 2002

D.C. BOARD OF ZONING
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2002 OCT -9 PM 7:17

Board of Zoning Adjustment
for the District of Columbia
441 4th Street NW
Suite 210-S
Washington, DC 20001

Re: Board of Zoning Adjustment Application No. 16836, The Washington Home

Dear Members of the Board:

To date the Board has held three hearings on Application 16836. These occurred on April 2, 2002, June 25, 2002, and July 9, 2002. During the first two hearings the applicant presented its case in support of the application. At the April 2 hearing we believe the Chair erred in failing to note the amount of time available to the applicant, in failing to maintain an official record of the time used for presentation of the applicant's case, and in failing to use the Board's official time keeping clock to monitor the applicant's use of time.

On April 2 the applicant's attorney Mr. George Keys made opening and closing remarks in introducing and summing up the applicant's case and also presented two witnesses in support of the application. We estimate that the applicant used 40 minutes of presentation time at this hearing.

At the June 25 hearing the Chair allowed the applicant 45 minutes to present the remainder of its case. Five witnesses were presented on behalf of the applicant. At this hearing the use of time was recorded on the Board's official time keeping clock. However, an inadvertent error resulted in an additional nine minutes being added to the clock. At the end of the hearing approximately two minutes remained on the clock for use by the applicant. This means that the applicant used a total of an additional 52 minutes of presentation time. When combined with the 40 minutes used at the April 2 hearing, the applicant was allowed a total 92 minutes to present its case.

Section 3117.5 requires that "the Board shall ensure reasonable balance in the time allocation between proponents and opponents." Therefore, we respectfully request that in accordance with Section 3117.5, the Board provide Citizens Concerned about the Home's Expansion (CCHE) an amount of time to present its case that will ensure there is a reasonable balance in the time allocated to the applicant and to CCHE. The amount of time allocated to persons in support and persons in opposition to the application should be separate from the time allocation to CCHE.

We also request that the Board endeavor to complete the public hearing portion of this case on October 15, 2002. We have had three hearings on this application on three separate days. This has placed a burden on citizens involved in the case since most of them have full time jobs and also have

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BZA
Case No. 16836
Exhibit No. 74

Board of Zoning Adjustment
District of Columbia
CASE NO.16836
EXHIBIT NO.74

family commitments at home. Now that we are in the final stage of public testimony in this case, we would appreciate the efforts of the Board in ensuring that the public hearing portion of the case is completed on October 15.

Sincerely,

/s/

Phil Kogan
Commissioner

CERTIFICATE OF SERVICE

A copy of this letter has been provided to the parties or their representatives:

George Keys, Jessamy Jordan and Keys
Jon Graham, Citizens Concerned about the Home's Expansion
Ken Laden, District Division of Transportation, DDOT
Karen Thomas, Office of Planning

PhoneTools

BVRP software

Phone: 202 690 5689

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Message :

TO: Sherry Pruitt - BZA

FROM: Phil Kogan - ANC 3F

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From:	To: Sherry Pruitt
Phil Kogan	Sherry Pruitt
Date: 10/8/2002	**Page(s):** 4