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Writer's E-Mail Address: bkass@kmklawyers.com

September 9, 2002

HAND DELIVER
Ms. Sherri M. Pruitt
Secretary
D.C. Board of Zoning Adjustment
441 Fourth Street, N.W.
Suite 210
Washington, D.C. 20001

RECEIVED
D.C. OFFICE OF ZONING
2002 SEP -9 PM 4:35

Re: BZA Application No. 16854.
Mr. & Mrs. Charles Holliday
Square 787, Lot 35
315 East Capitol Street, S.E.

Dear Ms. Pruitt.

Ms. Rebecca Grant and Mr. Rick Lewis, through counsel, request to be substituted as parties to this matter in the place of Mr. Warlick, a party in this proceeding.

We have submitted the attached submission to request the same.

Respectfully Submitted,

Benny L. Kass

cc: Jacques B. Dupay, Esq., Greenstein, Delorme & Luchs, P.C.
Richard B. Nettler, Esq., Robins, Kapland, Miller & Ciresi, L.L.P.
Mr. Kenan P. Jarboe, Advisory Neighborhood Commission 6B
John Moore, Office of Planning

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BZA
Case No. 16854
Exhibit No. 66

Board of Zoning Adjustment
District of Columbia
CASE NO.16854
EXHIBIT NO.66

BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

RECEIVED
D.C. OFFICE OF ZONING
2002 SEP -6 PM 3:54

Re: Application of
Mr. & Mrs. Charles Holliday
315 East Capitol Street, S.E.

BZA Application No. 16854
Special Hearing: Sept. 17, 2002
ANC 6B

REQUEST TO REOPEN THE RECORD FOR THE SOLE PURPOSE TO PERMIT A SUBSTITUTION OF PARTY

Ms. Rebecca Grant and Mr. Rick Lewis, pursuant to 11DCMR § § 3330.2 and 3315.12 request that they be substituted as parties to this proceeding in place of Mr. Warlick.

1. The movants first request that the record be reopened to permit the consideration of a request that they be substituted as parties to this proceeding.
2. As explained below, Ms. Rebecca Grant and Mr. Rick Lewis have entered into a contract of sale to purchase the property adjacent to 315 East Capitol Street, S.E., and are scheduled to go to closing on September 11, 2002.
3. This application to reopen the record is made solely for the purposes of permitting a substitution of parties.
4. Mr. Warlick was a party on the basis of being a lessor/occupant of 313 East Capital Street, S.E. and a prospective purchaser of that property. 313 East Capitol Street, S.E. shares a property line with 315 East Capital Street, S.E.
5. Ms. Rebecca Grant and Mr. Rick Lewis are now the contract purchasers of 313 East Capital Street, SE The contract closing date is September 11, 2002.
6. Ms. Rebecca Grant and Mr. Rick Lewis consequently have a similar, and greater interest, in the request for a variance and any result of a variance then Mr. Warlick.

Therefore, Ms. Rebecca Grant and Mr. Rick Lewis request that they be allowed the status of parties in this proceeding.

Respectfully submitted,

Benny L. Kass # 025155
Richard P. Schmitt # 256024
Kass, Mitek & Kass, P.L.L.C.
1050 17th Street, N.W., Suite 1100
Washington, D.C. 20036
(202) 659-6500
Attorney for Ms. Rebecca Grant and Mr. Rick Lewis

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Request To Reopen the Record for the Sole Purpose to Permit a Substitution of Party was mailed on this 9th day of September, 2002, by first class mail, postage prepaid to:

Jacques B. Dupay, Esq.
Greenstein, Delorme & Luchs, P.C.
1620 L Street, N.W., Suite 900
Washington, D.C. 20036
Counsel for Applicants, Mr. & Mrs. Charles Holliday

Richard B. Nettler, Esq.
Robins, Kapland, Miller & Ciresi L.L.P.
Suite 1200
1801 K Street, NW
Washington, D.C. 20006
Counsel for Party, Mr. and Mrs. Jones

Advisory Neighborhood Commission 6B
c/o Mr. Kenan P. Jarboe
711 10th Street, S.E.
Washington, D.C. 20003

Mr. John Moore
Office of Planning
801 North Capitol Street, N.E.
Forth Floor
Washington, D.C. 20002

Benny L. Kass

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