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March 1, 2002

Rec'd 3-1-02

VIA FACSIMILE

16857

Ms. Jerrily Kress, FAIA
Director
Office of Zoning
441 4th Street, N.W.
Suite 210 South
Washington, D.C. 20001

Dear Ms. Kress:

To supplement the request I filed earlier today on the covenant relating to 4500 Wisconsin Avenue, N.W., I am forwarding a letter I subsequently received from Acting Zoning Administrator Bello, attached. Please do not hesitate to contact me if you have any questions about this matter.

Thank you.

Sincerely,

Nestor M. Davidson
of LATHAM & WATKINS

Attachment

cc: Alan Bergstein, Office of Corporation Counsel
Ellen McCarthy, Office of Planning
Armond Spikell
Richard Lake
Todd Weiss

BZA
Case No. 16857
Exhibit No. 23

Board of Zoning Adjustment
District of Columbia
CASE NO.16857
EXHIBIT NO.23

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

Building and Land Regulation Administration
Office of the Zoning Administrator

March 1, 2002

Latham & Watkins
555-11th Street, NW- Suite 1000
Washington, DC 20004
Attn: Nester Davidson, Esquire

Re: **1940 Covenant for Old Sears Site 4500 Wisconsin Avenue, NW Washington, DC/(the "Property")**

Dear Mr. Davidson:

This letter is written in response to your inquiry dated February 27, 2002.

I have reviewed the 1940 covenant. Since the covenant was filed to change the zoning classification from residential to commercial, and has been in effect since July 1940 and taking into consideration the current zoning classification of the premises is C-3-A (commercial), I have no objection to the rescission of the covenant provided that the matter be made public at the set Board of Zoning Adjustment public hearing.

Should additional information be required, you may contact me at 442-4576.

Respectfully,

Toye Bello, Acting
Zoning Administrator

TB/er

Latham & Watkins
ATTORNEYS AT LAW
WWW.LW.COM

555 ELEVENTH STREET, N.W., SUITE 1000
WASHINGTON, D.C. 20004-1304
PHONE: (202) 637-2200
FAX: (202) 637-2201

Rec'd 3/1-02

FACSIMILE TRANSMISSION

MARCH 1, 2002

TO:

Name	Fax No.	Phone No.
Jerrily Kress Director, Office of Zoning	(202) 727-6072	(202) 727-6311

FROM: NESTOR M. DAVIDSON

RE:

☐ ORIGINAL(S) WILL FOLLOW	NUMBER OF PAGES, INCLUDING COVER 3:

MESSAGE:

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IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL (202) 637-2392.