Peter C. Choharis
2771 Woodley Place, N.W.
Washington, D.C. 20008

September 4, 2002

RECEIVED
D.C. OFFICE OF ZONING
2002 SEP -5 PM 1:36

Jerrily Kress
Director
Board of Zoning Adjustment
441 4th Street, NW
Suite 210 South
Washington, D.C. 20001

RE: No. 16875 – Application of All Souls Memorial Church

Filing of Enclosed Motion to Toll Period to Move for Reconsideration Or, in the Alternative, For Reconsideration of the Board's Written Decision

Dear Ms. Kress:

I am a party in the above-captioned case.

Please find enclosed an original and twenty copies of the Enclosed Motion to Toll the Period in which to Move for Reconsideration or, in the Alternative, for Reconsideration of the Board's written decision in No. 16875, Application of All Soul's Memorial Church. I mailed a copy of the Enclosed Motion via first-class U.S. Mail to Brigitte L. Adams, Counsel for the applicant All Soul's Church.

In addition, **please serve the Board's written decision to me at the following address:** 2771 Woodley Place, N.W., Washington, D.C. 20008. (I am no longer at 3101 New Mexico Avenue.)

Thank you for your assistance.

Sincerely,

Peter C. Choharis

Peter C. Choharis

Enclosure

BZA
Case No. 16875
Exhibit No. 44

Board of Zoning Adjustment
District of Columbia
CASE NO.16875
EXHIBIT NO.44

District of Columbia Board of Zoning Adjustment
Re: Application 16875
All Souls Memorial Episcopal Church Application for
Special Exception to Lease Commercially its Parking Lot

MOTION (1) TO TOLL THE PERIOD IN WHICH TO FILE THE MOTION FOR RECONSIDERATION OR (2) IN THE ALTERNATIVE, FOR RECONSIDERATION OF THE BOARD'S WRITTEN DECISION,

Pursuant to Title 11, Secs. 3101.6, 3101.5 and 3126, Party Opponent Peter C.Choharis ("Choharis") hereby moves (1) to toll the period in which to file the motion for reconsideration in the above-captioned case pursuant to Section 3126.4 until the latter of October 10, 2002 or 13 days after the written decision is issued or (2) in the alternative, for reconsideration of the written decision granting the Application in the above captioned case and to accept Choharis's Memorandum of Points and Authorities In Support of Choharis's Motion to Re-Open the Hearing Below and Declaration in Support as the basis for reconsideration. On reconsideration, Choharis requests that the Board either deny the Application outright or re-open the hearing so that the Board can base its decision on an accurate and true factual record.

RECEIVED
D.C. OFFICE OF ZONING
2002 SEP -5 PM 1:36

In support of this motion, Choharis submits the following Points and Authorities.

POINTS AND AUTHORITIES

On May 29, 2002, the Board of Zoning Adjustment granted Peter C. Choharis ("Choharis") party opponent status in Application 16875, All Souls Memorial Episcopal Church ("Church") Application for Special Exception to allow commercial parking on its lot (the "Application"). On July 2, 2002, the Board issued an oral decision granting the Church's Application. The Board has not yet issued its written decision.

Choharis is a solo practitioner and is acting on behalf of himself and more than seventy neighbors who are on record opposing the Church's Application. Choharis is scheduled to leave the United States on or about September 12 through September 30, 2002. Should the Board issue its written decision near or after September 12, 2002, Choharis will not receive service until after his return on or about September 30, 2002. As a result, Choharis will not be able to comply with Section 3126.4 which requires that he "state specifically all respects in which the final decision is claimed to be erroneous, the grounds of the motion and the relief sought." Nor will he be able to file a motion for reconsideration within ten (10) days after the Board issues its written decision.

Choharis is providing free legal services on this matter, which have thus far been in excess of 100 hours as well as out of pocket expenses in excess of $150. He has not received any profit and has not sought any personal gain from participating in this matter on behalf of himself and more than seventy of his neighbors opposing the Application. Choharis makes this motion to toll the period in which to file the motion for reconsideration so that he may better comply with Section 3126.4.

In the alternative, if this Board does not grant his motion to toll the period in which to move for reconsideration, Choharis moves for reconsideration pursuant to Section 3126. In support of his motion for reconsideration, Choharis respectfully requests that this Board refer to his Motion to Re-Open the Hearing and his Memorandum in Support as well as Declaration in Support filed during the hearing. Choharis further requests that on reconsideration, the Board either deny the

Application outright or re-open the hearing so that the Board can base its decision on an accurate and true factual record.

Conclusion

For all the foregoing reasons, Party Opponent Choharis respectfully requests that this Board grant his motion to toll the period in which to move for reconsideration of the Board's written decision or, in the alternative, for reconsideration based upon the reasons set forth in his Motion to Re-Open the Hearing and the Points and Authorities and Declaration in Support thereof.

September 4, 2002



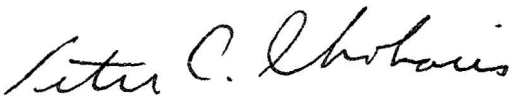
Peter C. Choharis
2771 Woodley Place, N.W.
Washington, D.C. 20008
(202) 422-8312

Proof of Service

I, Peter C. Choharis, do hereby state that I caused to be delivered via first-class U.S. mail a copy of the foregoing MOTION (1) TO TOLL THE PERIOD IN WHICH TO FILE THE MOTION FOR RECONSIDERATION OR (2) IN THE ALTERNATIVE, FOR RECONSIDERATION OF THE BOARD'S WRITTEN DECISION to:

Ms. Brigitte L. Adams
2800 Wisconsin Avenue, N.W., # 208
Washington, D.C. 20007

On this 4th day of September, 2002.



Peter C. Choharis