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April 28, 2003

Geoffrey Griffis
Chair, Board of Zoning Adjustment
Suite 210 South
440 4th Street, N.W.
Washington, D.C. 20001

Re: Request for prompt issuance of Final Order on Motion for Reconsideration of Appeal No. 16879

Dear Mr. Griffis and Members of the Board:

After the Board requested the District of Columbia Court of Appeals for an *expedited remand* of the case (DCCA Case No. 02-AA1368) back to the Board for its reconsideration, the Court remanded the case on January 7, 2003. On February 4, 2003, the Board took only about ten minutes to make an oral decision rejecting the Motion for Reconsideration of Appeal No. 16879. It is now *almost three months* since that date.

We point out that the Board penalized the Appellant's by striking materials from the record when those materials may have been filed one day late. The single day, in each case, had no negative effect on any Party or proceeding of the case. No consideration was given to Appellant's requests for waivers requesting acceptance of late filings, for cause, although it is rare that waivers have been denied in other cases before the Board. We further point out that the Board frequently does not provide it's own correspondence in a timely fashion. In one case the Board's own delay in mailing a letter led to the Appellant's late filing that the Board then rejected as untimely.

We ask that the Board promptly issue its Final Order on the Motion for Reconsideration of Appeal No. 16879 and that this Order be promptly served on all Parties.

Respectfully,

Anne Page Chiapella

Anne Page Chiapella
President
Nebraska Avenue Neighborhood Association

BZA
Case No. 16879
Exhibit No. 67

Board of Zoning Adjustment
District of Columbia
CASE NO.16879
EXHIBIT NO.67