GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



May 15, 2003

Page Chiapella, President
Nebraska Avenue Neighborhood Association
5126 Nebraska Avenue, N.W.
Washington, D.C. 20008-2047

Re: DCCA Case No. 02-AA-1368 (BZA Appeal No. 16879)

Dear Ms. Chiapella:

In response to your letter dated May 12, 2003, in which you request a copy of the record prepared for the D.C. Court of Appeals in the above matter, please be advised that the record consists of 527 pages. The Office of Zoning does not serve individual copies of the record sent to the court on the parties. The case record is always available for public viewing within the Office of Zoning. If you still want a copy of the record it can be provided to you at a cost of 20 cents a page totaling $105.40. A check for this amount made out to the D.C. Treasurer will be required in advance. Please call Kathy Wright on (202) 727-6311, if you have any questions relevant to the foregoing.

SINCERELY,

JERRILY R. KRESS, FAIA
DIRECTOR

Attachment
cc: Donna M. Murasky
Kathy Wright

BZA
Case No. 16879
Exhibit No. 70

Board of Zoning Adjustment
District of Columbia
CASE NO.16879
EXHIBIT NO.70

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE CORPORATION COUNSEL

16879

RECEIVED
D.C. OFFICE OF ZONING
2003 MAY 15 AM 11:21

May 15, 2003

Anne Page Chiapella
5126 Nebraska Avenue, N.W.
Washington, D.C. 20001

Dear Ms. Chiapella:

This responds to your letter of May 12 (which, as I explained earlier today, was sent to the wrong facsimile number). I am enclosing another copy of the motion filed in the District of Columbia Court of Appeals and served on you by mail on December 20, 2002. Upon checking my records, I now recall that I personally photocopied the motion, did the envelopes, and mailed the service copies. I can assure you that the copy I sent to you was identical to the original and copies filed with the Court. It contained all the attachments and a certificate of service. And, of course, the motion referenced the appendix attached to it. I can only conclude that you detached the appendix materials, which were familiar to you, and forgot that you had done so.

Sincerely,

Donna M. Murasky
Senior Litigation Counsel

Enclosure

cc (w/o enc.): ✓

Geoffrey Griffis, Chair
Board of Zoning Adjustment
441 Fourth Street, N.W., Room 210 South
Washington, D.C. 20001
By facsimile: (202)727-6072

JK/EZ

Anne Page Chiapella, Ph.D.
5126 Nebraska Avenue, N.W.
Washington, D.C. 20008

May 12, 2003

Delivery by FAX

RECEIVED
D.C. BOARD OF ZONING
2003 MAY 12 AM 8:33

Donna Murasky
Office of the Corporation Council
941 4th Street, N.W.
Washington, D.C. 20001
FAX: 202-347-8922

and

Geoffrey Griffis, Chair
Board of Zoning Adjustment
941 4th Street, N.W., Room 210 South
Washington, D.C. 20001
FAX: 202-727-6072

Re: Documents submitted to District of Columbia Court of Appeals for requesting expedited remand of DCCA Case No. 02-AA-1368 (BZA Appeal No. 16879)

Dear Ms. Murasky and Mr. Griffis:

I request a copy of the *full submission* from the Board of Zoning Adjustment to the District of Columbia Court of Appeals requesting expedited remand of Case No. 02-AA-1368 (Appeal No. 16879) to the Board. I understand that the Board's submission included both a letter and a 26-28 page attachment. Since I received only the letter, I am requesting a copy of the full submission, including the attachment and certificate of service if there was one.

Neither the letter nor the attachment was served on ANC 3/4G, a co-appellant in Appeal No. 16879, nor are copies available in the Office of Zoning's public file for this appeal. As this information may be of interest to any party to the appeal or to others, I request that full copies also be provided to ANC 3G and too the public record file for Appeal 16879.

Thank you for your attention to this matter.

Yours truly,

Anne Page Chiapella

Anne Page Chiapella

CC: ANC 3/4G