ShawPittman LLP

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June 11, 2003

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By Hand Delivery

Ms. Jerrily Kress
Office of Zoning
441 4th Street, N.W.
Second Floor
Washington, DC 20001

Re: Final BZA Order No. 16879 -A - Opposition to NANA's June 5, 2003 Motion for Reconsideration and Rehearing

Dear Ms. Kress:

Sunrise Connecticut Avenue Assisted Living, LLC ("Sunrise") hereby opposes the Nebraska Avenue Neighborhood Association's ("NANA") Motion for Reconsideration and Rehearing of BZA Order No. 16879-A that was filed with the Board of Zoning Adjustment ("BZA" or "Board") on June 5, 2003. NANA's June 5, 2003 filing is in effect a Motion for Reconsideration of the Board's denial of their previous Motion for Reconsideration.

Sunrise notes the following language from BZA Order No. 16879-A:

> As is evident from the filings in this case, NANA has used every conceivable procedural device to stop the building of a facility for persons with disabilities that it has so adamantly opposed. Indeed, NANA has since filed yet a third appeal of the same project, this time appealing the approval of a Wall Test Report. While NANA may continue its relentless efforts to challenge what the Board continues to find to be a lawful structure and use, the Board is not compelled to treat NANA's tactical miscalculation as good cause.

NANA's June 5th Motion for Reconsideration is yet another attempt to stop the development of Sunrise's lawful structure and use. The Board should not entertain any additional attempts by NANA to hinder this project.

Sunrise fully relies on the information that it submitted into the record of BZA Appeal No. 16879 as the basis for its opposition to NANA's June 5, 2003 Motion for Reconsideration and Rehearing. Sunrise believes that the Board's Order No. 16879-A fully and clearly articulates the Board's review and denial of all issues raised in NANA's appeal. There is no basis for the Board to grant NANA's Motion as the issues raised in this Motion have been dealt with by the Board ad nauseum.

BZA
Case No. 16879
Exhibit No. 74

Board of Zoning Adjustment
District of Columbia
CASE NO.16879
EXHIBIT NO.74

Thank you for your attention to this matter, we look forward to the Board's expeditious dismissal of NANA's second Motion for Reconsideration and Rehearing in this long and tortured case.

Respectfully submitted,

Allison C. Prince

Allison C. Prince

Paul A. Tummonds, Jr.

cc: Attached Certificate of Service
Sean Ambrose, Sunrise

ShawPittman LLP

Ms. Jerrily Kress
June 11, 2003

Certificate of Service

I hereby certify that on June 11, 2003, a copy of the foregoing letter was mailed to the following:

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President, Nebraska Avenue Neighborhood Association
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Advisory Neighborhood Commission 3/4G
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Paul A. Tummonds, Jr.

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