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September 8, 2003

WHAYNE S. QUIN
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Via Facsimile
And First Class Mail
Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210S
Washington, D.C. 20001

Re: BZA Application No. 16938

Dear Members of the Board:

It has come to our attention that Advisory Neighborhood Commission (ANC) 1B has submitted correspondence to the Board with questions regarding the withdrawal of the above-referenced application. The applicant would like to take this opportunity to confirm and reinforce the validity of the withdrawal made by the applicant by letter to the Board dated August 7, 2003. This withdrawal, as acknowledged by the Zoning Office letter to the applicant dated August 11, 2003, is taken pursuant to Subsection 3113.10 of the Zoning Regulations, which provides that an applicant may withdraw an application at any time. The language is unambiguous. As the Board is well aware, it is a long-standing practice of the Board that an applicant may withdraw an application at any time prior to issuance of a final order.

For all these reasons, the applicant requests that the Board deny the request by ANC 1B that is inconsistent with the applicant's right of withdrawal under the Zoning Regulations.

Thank you for your attention to this matter.

Sincerely,

HOLLAND & KNIGHT LLP

Whayne S. Quin

Dennis R. Hughes

BZA
Case No. 16938
Exhibit No. 82

Board of Zoning Adjustment
District of Columbia
CASE NO.16938
EXHIBIT NO.82