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OF COUNSEL
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ADMITTED IN NEW YORK
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November 12, 2002

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2002 NOV 12 PM 3:29

BY FACSIMILE AND HAND-DELIVERY

Mr. Geoffrey H. Griffis
Chairperson
Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210
Washington, D.C. 20001

Re: BZA Appeal No. 16947
Kuri Brothers, Inc.
4221 Connecticut Avenue, N.W. (Square 2051, Lot 5)

Dear Chairperson Griffis:

This firm is counsel for Charles E. Smith Residential, which is the owner and manager of the Van Ness South Apartments at 3003 Van Ness Street, N.W. and the Consulate Apartments at 2950 Van Ness Street, N.W. Charles E. Smith Residential respectfully requests pursuant to 11 DCMR 3106.2 to intervene in the above-referenced action as a party in opposition to the appeal.

Charles E. Smith Residential respectfully requests the Board to waive the fourteen (14) day rule in granting party status. This counsel apologizes for the unavoidable delay, but did not have authority to enter an appearance and request party status until after 6:00 p.m. last night. No prejudice will result to the Appellant given its pending request for a continuance and the long-standing nature of these circumstances.

For at least the last ten (10) this illegal large-scale (20 or more service bays) and high volume repair garage has operated at 4221 Connecticut Avenue, N.W. Successive operators of this illegal

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District of Columbia
CASE NO.16947
EXHIBIT NO.22

BZA
Case No. 16947
Exhibit No. 22

measures by the District and continued these industrial operations which pose a direct and imminent public safety hazard to the adjoining properties, including specifically, Van Ness South and the Consulate.

Van Ness South contains six hundred twenty-five (625) apartments with more than one thousand (1,000) residents located immediately behind the illegal repair garage separated only by a 16-foot public alley. See attached Sanborn Map. The Consulate contains two hundred sixty (260) apartments with over four hundred (400) residents and is located in close proximity to the illegal operation (less than 300 feet) and immediately adjacent to a public alley which is used as a means for ingress and egress to the illegal facility. Continued operations of this illegal repair garage poses a direct traffic, environmental and life safety threat to the residents and property at both of these buildings. Given the immediate proximity, Charles E. Smith Residential and its almost one thousand five hundred (1,500) residents are more directly affected by this illegal operation than the general public. Particularly with respect to Van Ness South, it is the closest residential property to the illegal operation.

Based on the foregoing, Charles E. Smith Residential requests party status in this matter and looks forward to active participation in the Board's hearing, as it may be continued.

Thank you for your cooperation in this matter.

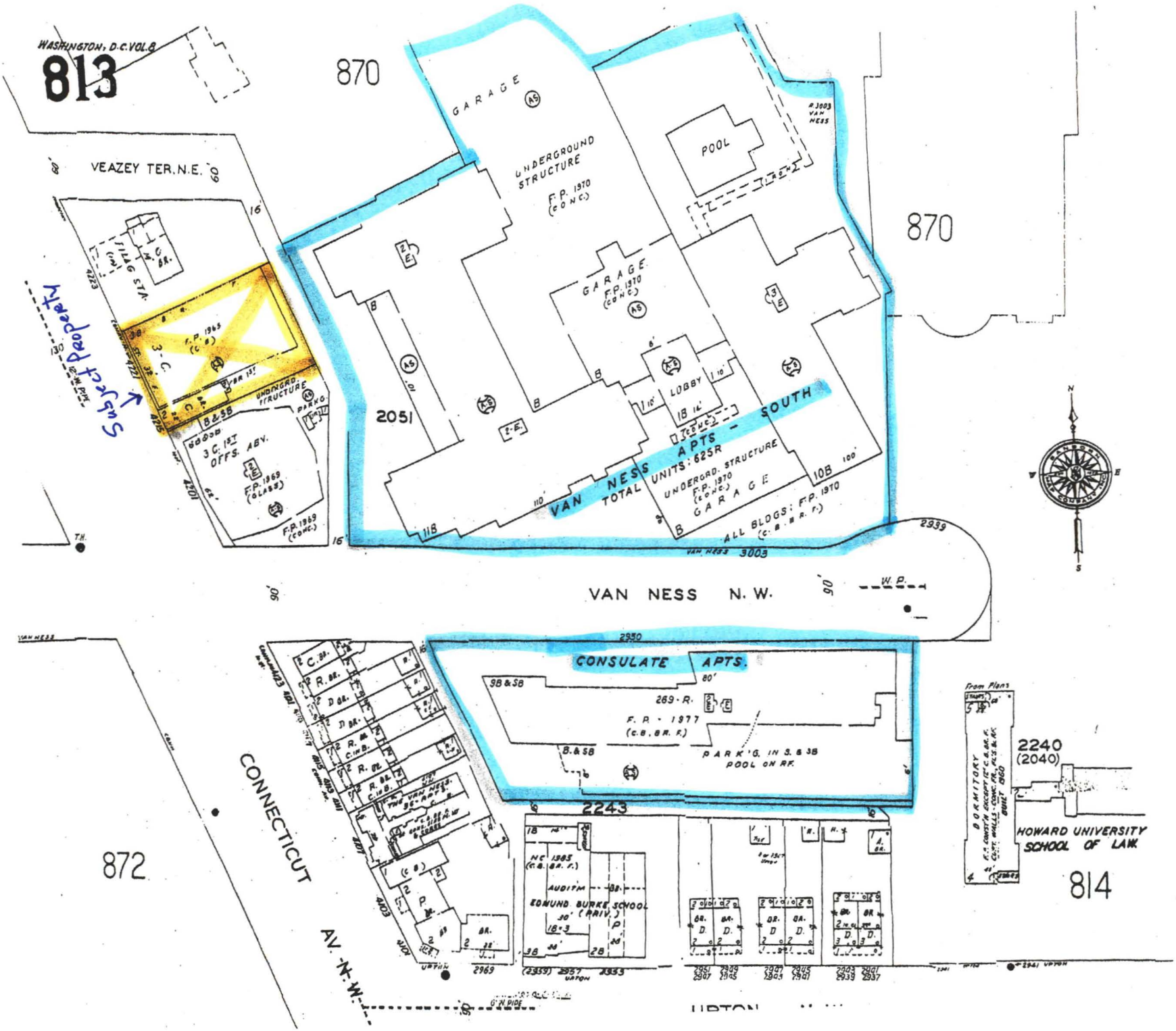
Very truly yours,

GREENSTEIN DELORME & LUCHS, P.C.

By: _____
John Patrick Brown, Jr.

JPB/sp
cc: Appellant
Charles E. Smith Residential
Advisory Neighborhood 3F
Matthew Green, Esq., DCRA

194082


WASHINGTON, D.C. VOL. 8
813
870
VEAZEY TER. N.E.
Subject Property
GARAGE
UNDERGROUND STRUCTURE
F.P. 1970 (CONC.)
POOL
3003 VAN NESS
870
GARAGE
F.P. 1970 (CONC.)
2051
LOBBY
VAN NESS APTS - SOUTH
TOTAL UNITS: 625R
UNDERGRD. STRUCTURE
F.P. 1970 (CONC.)
GARAGE
ALL BLDGS: F.P. 1970 (C. B. BR. F.)
2939
VAN NESS 3003
VAN NESS N.W.
W.P.
2950
CONSULATE APTS.
269-R.
F.P. - 1977 (C.B.BR.F.)
PARK'G. IN S. & SB
POOL ON RF.
2243
From Plans
DORMITORY
2240 (2040)
HOWARD UNIVERSITY SCHOOL OF LAW
814
872
CONNECTICUT AV. N.W.
EDMUND BURKE SCHOOL (PRIV.)
AUDITM.
UPTON