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D.C. OFFICE OF ZONING
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Chairperson Geoffrey Griffis
Government of the District of Columbia
Board of Zoning Adjustment
441 4th Street, N.W., Suite 220
Washington, DC 20001

January 13, 2003

RE: Application No. 16962—Mr. & Mrs. Aislee Smith, pursuant to 11 DCMR 3103.2, for a variance from the lot occupancy requirements under Section 403, a variance from the rear yard requirements under Section 404, a variance from the nonconforming structure provisions under subsection 2001.3 to allow the construction of a three story addition to a row dwelling, in the R-4 District at 2304 1st Street, N.W., (Square 3125, Lot 75).

Dear Chairperson Griffis:

This letter is to notify you that Lonzo and Deborah Shafer, opponents to the application above referenced, through counsel Robert L. Berkebile, hereby objects to the notice provided for the Advisory Neighborhood Commission 5C (ANC) meeting held on December 17, 2002 to consider this application.

Mr. & Mrs. Shafer received no notice of this meeting either my mail or public posting. In essence, a secret meeting was held in which the above referenced application received overwhelming support and approval and opposing views were not adequately and sufficiently represented due to improper notice.

In addition, Mr. & Mrs. Shafer object to the failure of the ANC to make the report readily available for review prior to any hearing. DCMR Section 3115 specifically requires a written report of the ANC be filed with the Board at least seven (7) in advance of any hearing.

Counsel Robert L. Berkebile visited the Zoning Office on Friday, January 3, 2003 to review the application file and made inquiry as to any available ANC report. Counsel

BZA
Case No. 16962
Exhibit No. 36

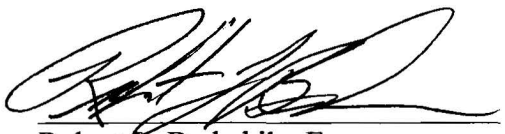
Board of Zoning Adjustment
District of Columbia
CASE NO.16962
EXHIBIT NO.36

was informed that no ANC report was available and that no report had been filed as of date. Therefore, the ANC failed to properly file a report at least seven (7) days in advance of a hearing, which was held on January 7, 2003.

Mr. & Mrs. Shafer vehemently and adamantly object to the ANC meeting notice, or lack thereof, and to the report by the ANC which was not filed in a timely manner and made available for review prior to the hearing on this application.

Respectfully submitted.

Sincerely,



Robert L. Berkebile, Esq.
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Counsel for Mr. & Mrs. Lonzo Shafer
Opponents to Application No.16962

cc: Mr. & Mrs. Lonzo Shafer