GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

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MAR 0 5 2003

Tad DiBiase, Chairperson
Advisory Neighborhood Commission 3E
St. Mary's Church
P.O. Box 9953
Washington, DC 20016

Re: BZA Appeal No. 16990
(4623 41st Street, N.W.)

Dear Mr. DiBiase:

You are hereby notified that the Board of Zoning Adjustment on Tuesday, April 29, 2003, at 441 4th Street, N.W., Suite 220, Washington, D.C., 20001 has scheduled a public hearing concerning the following appeal which is in your ANC area:

> **Appeal of American Towers, Inc.**, pursuant to 11 DCMR §§ 3100 and 3101, from the administrative decision of the Acting Director of the Department of Consumer and Regulatory Affairs (DCRA) for rescinding Building Permit Nos. B425271, 420358, 429362, et al., relating to the construction of an antenna tower. Appellant alleges that DCRA erred in ruling that a side yard did not meet the minimum requirements under section 775. The subject property is located in the C-2-B District at premises 4623 41st Street, N.W. (Square 1769, Lots 20 and 30).

This appeal will be heard between 1:00 p.m. and 6:00 p.m.

You should be aware that items may be submitted to the Board by other individuals, organizations and government agencies both in support of and in opposition to your appeal. Approximately one week prior to the public hearing, you should review the file in your appeal so that you are prepared to respond to any issues that may be raised regarding your appeal. Further, if you are not clear about what information you must present to the Board in support of your appeal, please contact the Office of Zoning as soon as possible.

BZA
Case No. 16990
Exhibit No. 17

Board of Zoning Adjustment
District of Columbia
CASE NO. 16990
EXHIBIT NO. 17

If you have any questions or require any additional information, feel free to call the Office of Zoning at (202) 727-6311.

Sincerely,

JERRILY R. KRESS, FAIA
Director

Enclosure

appeal16990/ljp

EXCERPT FROM TITLE 11 DCMR, "ZONING

3115 ADVISORY NEIGHBORHOOD COMMISSIONS

3115.1 The written report of the ANC shall be submitted to the Board at least seven (7) days in advance of the hearing and shall contain the following information:

(a) An identification of the appeal or application;

(b) When the public meeting of the ANC to consider the appeal or application was held;

(c) Whether proper notice of that meeting was given by the ANC;

(d) The number of members of the ANC that constitutes a quorum and the number of members present at the meeting;

(e) The issues and concerns of the ANC about the appeal or application, as related to the standards of the Zoning Regulations against the appeal or application must be judged;

(f) The recommendation, if any, of the ANC as to the disposition of the appeal or application;

(g) The vote on the motion to adopt the report to the Board;

(h) The name of the person who is authorized by the ANC to present the report; and

(i) The signature of the chairperson or vice-chairperson of the ANC.

3115.2 The Board shall give "great weight" to the written report of the ANC, as required by No. 1-261, D.C. Code, 1982 ed.

3115.3 In the event the ANC submits its report on the basis of understandings, agreements, or meetings with the appellant, or applicant which later are modified by appellant or applicant, the designated representative of the ANC may comment orally concerning the specific inconsistencies. No other new matters may be presented orally by the designated representative of the ANC.

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