GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Building and Land Regulation Administration
Office of the Administrator

February 26, 2002

Mr. William E. Timmons
4426 Garfield Street NW
Washington, D.C. 20007

Dear Mr. Timmons:

This letter is in response to your inquiry regarding Wesley Heights community to have the government enforce the zoning regulations on two subject properties, 2708-44th Street, N.W. and 4417 Garfield Street, N.W. I am informed that the Zoning Division has constructively engaged you over the two reference properties and has provided written interpretations of the Zoning Regulations as they apply to numerous elements of the construction of two single family dwellings at each site respectively.

My understanding is that both of these properties present a quandry of retroactive enforcement. I also understand that case law may not be kind to the ability of the Department to force enforcement action upon a construction carried to completion on a construction permit duly issued by the government, even if issued in error, provided such permit was not obtained on false information.

The Zoning Office provided you with an explanation of the applicabillity of the zoning regulations to all your questions regarding construction at the reference sites. Although you disagreed with the interpretations provided by the zoning office, the Department will continue to strive towards an error-free environment and vigorously enforce the Zoning Regulations.

Thank you for your time and patience concerning this issue. If you have any further questions, please contact Robert Henry, Special Assistant, Building and Land Regulation Administration, at (202) 442-4677.

Sincerely,

J. Gregory Love
Administrator, BLRA

cc: Robert Henry
#113340

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BZA
Case No. 17039
Exhibit No. 9

Board of Zoning Adjustment
District of Columbia
CASE NO. 17039
EXHIBIT NO. 9