ROBINS, KAPLAN, MILLER & CIRESI L.L.P.
ATTORNEYS AT LAW

SUITE 1200
1801 K STREET, N.W.
WASHINGTON, D.C. 20006-1307
TEL: 202-775-0725 FAX: 202-223-860
www.rkmc.com

RICHARD B. NETTLER
JEANNINE RUSTAD ZIGNER
(202) 775-0725

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September 5, 2003

BY HAND
Mr. Geoffrey Griffis
Chairperson
Board of Zoning Adjustment
441 4th Street, NW, Room 210
Washington, DC 20001

Re: **Application of Mark Lee Phillips -- Square 818, Lot 27; 417 A Street, S.E. and Withdrawal of Appeal No. 17037**
Our File No. 092229.00000

Dear Mr. Griffis:

On behalf of our client, Mark Lee Phillips, we hereby withdraw BZA Appeal No. 17037. With the withdrawal of the Appeal, we are submitting an application pursuant to section 3104.1 of the zoning regulations for a special exception for a home occupation permit pursuant to section 203.8(c) to allow a bed and breakfast with four (4) to six (6) sleeping rooms in the Capital Hill Historic District. Accordingly, enclosed you will find the original application, with supporting documents, and twenty (20) copies. Included in the original package is a list of neighbors within 200 feet of the property, along with one set of mailing labels to the neighbors. Lastly, we have also enclosed a check in the amount of $400.00 for the filing fee for the this application. Per my discussion with Rick Nero, as Appeal No. 17037 was never lodged, we are applying the $800.00 filing fee from the appeal towards the fee for the enclosed application.

Thank you for your attention to this matter.

Sincerely,

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

Richard B. Nettler
Jeannine Rustad Zigner

Enclosures (as stated)

Word 45645003.1

BZA
Case No. 17079
Exhibit No. 9

Board of Zoning Adjustment
District of Columbia
CASE NO. 17079
EXHIBIT NO. 9

cc: Mr. Mark Lee Phillips (by hand; w/encl.)
Office of Planning (by hand; w/encl.)
ANC 6B (w/encl.)