100 Fifth Street, SE
Washington, D.C. 20003
January 12, 2004

Andrew Altman, Director
Office of Planning
801 North Capitol Street, NE
Suite 4000
Washington, D.C. 20002

Re: BZA Case #17079, Mark Phillips, 417 A Street, S.E.

Dear Director Altman,

Your memorandum to the Board of Zoning Adjustment dated November 21, 2003, stated that the Office of Planning could not recommend approval of Mr. Phillips' request for a special exception. Your supplemental report dated November 26, 2003, reversed your initial decision based solely on a response from DDOT that there would be no adverse impact on parking to the neighborhood. I am troubled that this decision was made based on false, misleading, or unverifiable information submitted by the applicant as to the impact of parking on the neighborhood.

In addition, I believe the Office of Planning did not give sufficient weight to the other issues (i.e., the intensification of uses in a residential neighbor, noise, etc.) that adversely impact the neighborhood, and that the information on which you made this decision was incomplete. Your November 21, 2003, memorandum stated that the Office of Planning had not received an official resolution from ANC 6B. ANC 6B adopted the Planning and Zoning Committee's overwhelming (7-1-1) recommendation to oppose this special exception. Likewise, the Capitol Hill Restoration Society voted unanimously to oppose this special exception. If you did not receive these recommendations, please let me know and I will send them to you directly.

While I have not been privy to whether the Capitol Hill Neighborhood Planning District issued a report, I would now like to request information from you as to whether you received, and/or considered a report or opinion from that office.

As you may, or may not know, the Board of Zoning Adjustment has delayed the decision on this case until February 3, 2004. Because time is of the essence, I would appreciate your response as soon as possible. I can be reached at 202-547-3503 (H), 202-707-6710 (O), 202-707-2076 (FAX) or gber@loc.gov. Thanks in advance for your re-consideration of this matter.

Sincerely,

Gene Berry,

BZA
Case No. 17079
Exhibit No. 83

Cc: Geoffrey Griffis, Chairperson, Board of Zoning Adjustment

Board of Zoning Adjustment
District of Columbia
CASE NO. 17079
EXHIBIT NO. 83

to: DC office of Zoning
441 4th St NW Suite 210
202-727-6072 (Fx)
attn: Ms. Beverley Bailey,
Geoffrey Griffis —

FROM: Anne Berry
202-547-3503
202-707-6710

please refer this cc: to
BZA case file
for #17079

Thanks