GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

DEC 17 2003

Julie Olson, Chairperson
Advisory Neighborhood Commission 6B
921 Pennsylvania Avenue., S.E.
Washington, DC 20003

Re: BZA Appeal No. 17085
(206, 208, 210 D Street, S.E.)

Dear Ms. Olson:

This is to advise you that a public hearing has been scheduled by the Board of Zoning Adjustment to consider the following appeal which is located within your ANC area:

> **Appeal of Larry and Louise Smith and Mary Ann Snow**, pursuant to 11 DCMR §§ 3100 and 3101, from the administrative decision of the Zoning Administrator, et al in the issuance of Building Permit Nos. B424724, B451616, etc., to Chris Doefler and/or Folger Park North, LLC, for the construction of three flats (two family dwellings). Appellant alleges that the Zoning Administrator erred by issuing building permits where the alley adjacent to the property was not properly closed, the proposed construction is not entirely on the owner's property, section 401 was not applied correctly, etc. The CAP/R-4 zoned subject premises is located at 206, 208, and 210 D Street, S.E. (Square 763, Lots 26, 27 & 28).

This hearing will be held on Tuesday, February 24, 2004, in Suite 220, 441 4th Street, N.W., Washington, D.C. 20001. This case is scheduled to be heard between 1:00 p.m. and 6:00 p.m.

You are advised that 11 DCMR Section 3106 sets out certain requirements related to reports of ANCs, and specifically that Section 3106 requires that the written report of the ANC be filed with the Board at least seven days in advance of the hearing. A copy of Section 3115.1 is enclosed.

Information on the procedures which will govern consideration of this case are available from the Office of Zoning, in Suite 210, 441 4th Street, N.W. Washington, D.C. 20001. The telephone number for the Office of Zoning is (202) 727-6311.

Case No. 17085
Exhibit No. 39

Board of Zoning Adjustment
District of Columbia
CASE NO. 17085
EXHIBIT NO. 39

If you wish to forward comments in writing directly to the Board, such comments should be addressed to the Board of Zoning Adjustment at 441 4th Street, N.W., Suite 210, Washington, D.C. 20001.

Sincerely,

JERRILY R. KRESS, FAIA
Director

Enclosure

appealhrg17085/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.