

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Consumer and Regulatory Affairs

Office of the General Counsel



April 19, 2004

Honorable Geoffrey Griffis, Chairperson
Board of Zoning Adjustment
441 4th Street, N.W. – Suite 210 South
Washington, D.C. 20001

Re: BZA Docket No. 17109 – Appeal of Kalorama
Citizens Association from the Issuance of Building
Permits at 1819 Belmont Road, N.W., D.C.

Dear Chairman Griffis:

The purpose of this letter is to advise you that, due to the illness of the Acting Zoning Administrator and BLRA Administrator, I have not been able to respond to the affidavit submitted by former Zoning Administrator Fahey, dated April 2, 2004. Mr. Noble has been out ill since last Wednesday, April 13, 2003, and will not be back in the office this week. This is a matter which requires his personal review.

I am able to report in general terms that what was described by Mr. Fahey was a practice apparently utilized during his tenure, which ended in 1986, but is not mandated by the Zoning Regulations and is not the current practice.

I am optimistic that we will be able to respond before a decision is made in this case, and request leave to submit a response at the time the parties submit post-hearing briefs or proposed Findings of Fact and Conclusions of Law.

Sincerely,


Laura Gisolfi Gilbert

Cc: Andrea Ferster
M. Carolyn Brown
Alan Roth

BZA
Case No. 17109
Exhibit No. 73