Form 122
(Revised 01/04/04)

Case No. 17135

LETTER OF ACKNOWLEDGEMENT

Consideration of your Application No. 17135, filed on 1-15-04, will be governed by the Board of Zoning Adjustment Rules of Practice and Procedure. Under these Rules, your application will be set for public hearing on the first available date. The Board generally holds hearings every Tuesday except where conflicts exist with government holidays. Cases are set for hearing on a first come, first serve basis. You will be notified of the date of the hearing approximately 40 days in advance.

When you receive the notice of public hearing, it will then be your responsibility as the applicant to post a notice of the public hearing on the property. You must pick up a posting sign from the Office of Zoning (OZ), and place it on each street frontage of the property a **MINIMUM of FIFTEEN (15) DAYS** prior to the date set for public hearing. You must check the sign at least once every five (5) days to be sure that it is in place, and must repost as necessary.

At the time of the initial posting, you must take a photograph of the sign. That photograph must be filed with the Office of Zoning a **MINIMUM of FIVE (5) DAYS** before the date set for public hearing, as an attachment to the affidavit of posting, which OZ will supply or you may obtain a copy from OZ's website – www.dcoz.dc.gov.

Please be further advised that it is also the responsibility of the applicant to carry the burden of proof for an application. That means that you should review the Zoning Regulations which apply to your application, as set forth in the notice of public hearing and should be prepared to tell the Board how your application meets the requirements of the Regulations against which it must be judged. (For variances refer to 11 DCMR §3103.2 and for special exceptions §3104.1 and/or see Form 121.)

The site of your application is within the jurisdiction of **Advisory Neighborhood Commission (ANC)** 3E01. The Board is required by law to give ANC reports "great weight" in its decision-making in accordance with 11 DCMR Section 3115. The Board encourages you to contact the ANC to discuss your application at the earliest practical time. The telephone number of ANC 3E01 is 202-966-7047.

Applications are referred for review and recommendation to the D.C. Office of Planning (OP). Their reports are also given "great weight" in the BZA decision-making process. Applicants are recommended, at the time of filing a Form 120 application, to make contact with OP to discuss the merits of their application. OP can be reached at (202) 442-7602.

You are advised that if you intend to submit any additional materials in support of the application, any documentary evidence must be filed with the Office of Zoning at least **FOURTEEN (14) DAYS** prior to the date of the hearing. Schedules of upcoming cases are posted on the OZ website for your convenience.

Should you have any questions during the period your application is pending before the Board, please call the Office of Zoning at **(202) 727-6311.**

Jerrily R. Kress, FAIA – Director
District of Columbia Office of Zoning

Applicant's Signature of Acknowledgement

Kenneth H Bailey

Case No. 17135
Exhibit No. 10

Board of Zoning Adjustment
District of Columbia
CASE NO. 17135
EXHIBIT NO. 10

441 4th Street, N.W. Ste. 210-S, Washington, D.C. 20001
(202) 727-6311 * (202) 727-6072 fax * www.dcoz.dc.gov