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

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November 18, 2004

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

Re: Application of First Capital Trust, LLC and T.M. Visnic Custom Home Builders, L.L.C.
2101 Foxhall Road, N.W.; Square 1346, Lot 822

Dear Mr. Griffis:

On behalf of our clients, First Capital Trust, LLC and T.M. Visnic Custom Home Builders, L.L.C., we are hereby submitting an application for a special exception for a theoretical lot subdivision pursuant to section 2516 of the zoning regulations. The theoretical lot subdivision will be comprised of thirty-five (35) detached single family homes. Additionally, the development will include twelve (12) matter of right homes. Although the matter of right homes are not apart of this application, the enclosed documentation and studies have taken into account the impact of the entire development on the surrounding area.

Enclosed you will find the original application, with supporting documents, and twenty (20) copies. Supporting documents attached to the application include: a letter of agent authorization; a fully executed zoning self-certification form; a statement of reasons in support of the application, including the existing and proposed uses; photographic views of the property; surveyor's plat of the property; plans for the property; landscape plans; tree inventory; and 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 $14,800.00 ($1,200.00 for the first lot plus $400.00 per lot for the remaining 34 lots = $13,600.00) for the filing fee for the requested special exception.

Word 45665533.1

BZA
Case No. 17276
Exhibit No. 1

Board of Zoning Adjustment
District of Columbia
CASE NO. 17276
EXHIBIT NO. 1

Thank you for your attention to this matter.

Sincerely,

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

Richard B. Nettler
Jeannine Rustad

Enclosures (as stated)
cc: Mr. Ted Visnic (by hand; w/encl.)
Mr. Felipe Paraud (overnight; w/encl.)
ANC 3D c/o Ms. Alma Gates (by hand; w/encl.)
ANC 3D06 Commissioner Ms. Ann Heuer (by email)
Ms. Ellen McCarthy (by hand; w/encl.)
Ms. Ann Haas (w/encl.)