



United States Department of the Interior

NATIONAL PARK SERVICE

National Capital Region

1100 Ohio Drive, S.W.

Washington, D.C. 20242

IN REPLY REFER TO:

L30 (NCR-LRP)

APR 11 2006

Geoffrey Griffis, Chairman
Board of Zoning Adjustment
441 4th Street, NW
Suite 2000 South
Washington, D.C. 20001

RE: BZA Appeal No, 17285

Dear Chairman Griffis and Board Members:

This letter is intended to clarify and revise the National Park Service's (NPS) April 10, 2006, letter in support of Appellant Patrick Carome's Answer in Opposition to Owner's Request for Reconsideration.

While the NPS continues to support almost all of Appellant's arguments, we note that with respect to allegations of illegal tree cutting and damage to the national park from felled trees contained in footnote 9 and in the last bullet on page 13 of Appellant's April 10, 2006 filing, the United States ceased criminal proceedings against Mr. Economides associated with tree cutting and the NPS is not presently pursuing criminal proceedings against the Owners in this regard. Appellant's allegations and characterization regarding tree cutting in footnote 9 and the last bullet on page 13 are his own.

With one exception, the NPS takes no position regarding the remainder of the allegations and characterizations made by Appellant in the last bullet on page 13 of Appellant's filing. However, the NPS continues to assert that the Owner's platform structure violates the Zoning Code and the structure has damaged and continues to damage the park. The NPS does not currently join in the "unclean hands" legal argument contained in the last bullet on page 13.

Sincerely,

David J. Murphy
Adjacent Lands Liaison

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 17285

EXHIBIT NO. 106

Board of Zoning Adjustment
District of Columbia
CASE NO. 17285
EXHIBIT NO. 106

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