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FILE NO: 66266.000002

March 1, 2005

By Hand Delivery

Geoffrey Griffis, Chairman
Board of Zoning Adjustment
Room 210
441 4th Street, N.W.
Washington, D.C. 20001

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2005 MAR -1 PM 12:38

Re: *Appeal of Patrick Carome*
BZA No. 17285
(4825 Dexter Terrace, N.W.)

Dear Chairman Griffis and Board Members:

We ask that you accept the attached Amended Affidavit of Hugo E. Ardon which is part of Exhibit I to our case. The amendment is due to the appellant's filing on February 28, 2005, therefor good cause exists therefor.

Sincerely,

Richard L. Aguglia

Enclosure

cc: By Mail
ANC 3D
Attn: Alma Gates, Chair

BZA

Case No. 17285

Exhibit No. 40

ATLANTA AUSTIN BANGKOK BRUSSELS CHARLOTTE DALLAS HONG KONG KNOXVILLE
LONDON McLEAN MIAMI NEW YORK NORFOLK RALEIGH RICHMOND SINGAPORE WASHINGTON

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Board of Zoning Adjustment
District of Columbia
CASE NO. 17285
EXHIBIT NO. 40



Geoffrey Griffis, Chairman
March 1, 2005
Page 2

By Hand Delivery

Patrick Carome, Esq.
Toye Bello, Zoning Administrator
Lisa Bell, Esq., DCRA General Counsel's Office
Frank & Dina Economides

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1849 C Street, N.W.
Mail Stop 3217
Washington, D.C. 20240

**AMENDMENT TO
AFFIDAVIT OF HUGO E. ARDON**

I, Hugo E. Ardon, being first duly sworn under oath, deposes and says:

1. My name is Hugo E. Ardon. I am an American citizen over the age of 21 years of sound mind and body.

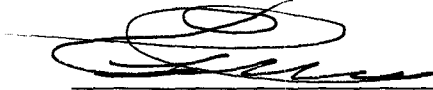
2. On February 24, 2005, I executed an affidavit related to the BZA Appeal of Patrick Carome No. 17285 on behalf of the property owners at 4825 Dexter Terrace, N.W. in opposition to that appeal.

3. In paragraph 10 of that affidavit, I stated that:

“Work commenced on the retaining wall at the end of June, 2004
and was completed in mid November, 2004.”

4. In preparation for the hearing to be held by the BZA on March 1, 2005, after review of various exhibits prepared by the parties in this case, I realized that I had completed or laid the last “cap” on the retaining wall near the end of October, 2004, rather than mid November, 2004. This is because I remembered that DCRA inspector Juan Scott came to the site on November 2, 2004. I was present at the site. He asked me for the approved set of plans for the retaining wall which I gave him. After he reviewed the plans, he asked me to go with him to the retaining wall to measure the height at the highest point of the wall. At that time, the wall was complete. After he completed measurements, he said that there was no problem.

Further affiant sayeth not.



Hugo E. Ardon

Subscribed to and sworn before me this 1st day of March, 2005.



Notary Public

Priscilla J. McClain
Notary Public, District of Columbia
My Commission Expires 10-14-2008

My commission expires: _____