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April 25, 2005

BY HAND DELIVERY

Mr. Geoffrey H. Griffis
Chairman
Board of Zoning Adjustment
441 Fourth Street, N.W.
Suite 210 South
Washington, D.C. 20001

Re: BZA Application No. 17309

Dear Mr. Griffis:

This firm is counsel for the Chain Bridge Road/University Terrace Preservation Committee and Mr. Rudy Djabbarzadeh (collectively, the "Preservation Committee"), both of which have requested party status in the above captioned matter.

The Applicant has requested a continuance of the April 26 hearing until July 19, 2005. In doing so, the Applicant acknowledges what has been readily apparent for months. His application is not adequately justified, raises serious concerns under both the regulations governing the Tree and Slope Overlay and theoretical lot subdivisions, does not contain the supporting documentation requested repeatedly by ANC 3D, the Office of Planning and the community, and places the neighborhood, Battery Kemble Park and abutting residents at grave risk.

Reluctantly, the Preservation Committee does not oppose this request for a continuance although we believe the Application would have been summarily denied as insufficient on its face had the hearing proceeded as scheduled. We do ask that, if the continuance is granted, the hearing be rescheduled for September since some expert witnesses and members of the ANC, the Preservation Committee and the community will be unavailable during July and August. We also wish to ensure that there is sufficient time for the Applicant to revise his proposed plans in a meaningful manner and to consult with the Office of Planning, the ANC and the community

BZA

Case No. 17309

Exhibit No. 63

Board of Zoning Adjustment
District of Columbia
CASE NO. 17309
EXHIBIT NO. 63

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about his plan revisions. Since the Applicant has been aware for months of the unanswered questions and concerns raised by his application, but has done nothing to fill these gaps, extending the continuance for another two months will not be prejudicial to Applicant's interests.

The Preservation Committee also challenges the Applicant to take advantage of the continuance to undertake a careful reassessment of his plans in light of the serious concerns raised and to develop a thoughtful proposal with substantially fewer houses. A new and truly improved plan must be well-documented, consistent with the letter and spirit of the CB/UT Overlay and sensitive to this unique, historic and fragile site, as well as to the adjoining community.

The Preservation Committee remains committed to working with the Applicant to ensure that a new plan will be in the best interest of the community and can be approved by the Board.

Very truly yours,

GREENSTEIN DELORME & LUCHS, P.C.



John Patrick Brown Jr.



Stephanie A. Baldwin

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cc: Robert Sussman, Esquire, Chair, CBRUTPC
Mr. Rudy Djabbarzadeh
Mark Brodsky, Esquire
Norman M. Glasgow, Jr., Esquire
Advisory Neighborhood Commission 3D
Ms. Maxine Brown-Roberts, Office of Planning