

RICHARD B. NETTLER
202-736-2720/2721

October 18, 2005

BY HAND

Geoffrey Griffis, Chairman
Board of Zoning Adjustment
441 Fourth Street, N.W., Suite 210
Washington, DC 20001

Re: Application No. 17737
Opposition to Request for Postponement
Our File No.: 091556.0001

RECEIVED
D.C. OFFICE OF ZONING
2005 OCT 18 PM 3:13

Dear Chairman Griffis:

On behalf of our client, Tabard Corporation, operator of the Hotel Tabard Inn and owner of the property immediately adjacent to the subject of the above-referenced application, we hereby note our opposition to the Request for Postponement submitted by the Applicant on October 17, 2005.

We have previously stated our opposition to any delay in hearing this application by letter dated October 13, 2005. Tabard continues to object any postponement of this matter.

We reiterate our belief that both the filing of the application and the request for deferral, after it has become clear that there is no support for the application, is simply an attempt to defer action by the District of Columbia government, initiated over one year ago, to change the tax status for the rundown and neglected property. The filing of the instant application, which had previously been denied and which, by the applicant's own admission, garners no support, appears to serve no other purpose than to delay the actions of other District agencies.

The applicant has had more than sufficient time to explore "options to reduce the extent of relief necessary" in the fifteen years since the original Planned Unit Development application for this property, which requested essentially the same relief as the instant application, was denied. Delaying hearing of this application until April of 2006 will serve no purpose but that of the Applicant to delay the imposition of sanctions from other District agencies. It is clear from the history of this property and the surrounding neighborhoods' negotiations with this applicant that there is no genuine intent on the part of this applicant to revise the application to make the proposed development compatible with the historic and low-density residential character of N Street in this location.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 17337
EXHIBIT NO. 34

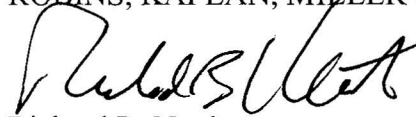
Board of Zoning Adjustment
District of Columbia
CASE NO. 17337
EXHIBIT NO. 34

Geoffrey Griffis, Chairman
October 18, 2005
Page 2

Accordingly, we urge you to deny the request for postponement and look forward to a full hearing on this application on November 1, 2005.

Sincerely,

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

A handwritten signature in black ink, appearing to read "Richard B. Nettler", written over the printed name.

Richard B. Nettler

Cc: Jeremiah Cohen

DC1 45676843.1

RECEIVED
D.C. DEPT. OF JUSTICE
2005 OCT 18 PM 3:13

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was mailed, first-class, postage pre-paid, on this 18th day of October, 2005, to the following:

Ellen McCarthy, Director
Office of Planning
801 North Capitol Street, N.E., Fourth Floor
Washington, DC 20001

Alan Bergstein
Chief, Land Use/Public Works Division
Office of the Attorney General for the District of Columbia
441 4th Street, N.W., 6th Floor South, Suite 680
Washington, DC 20001

Darren Bowie, Chairman
Advisory Neighborhood Commission 2B
9 Dupont Circle, N.W.
Washington, D.C. 20036

Norman M. Glasgow, Jr.
Thomas J. Carroll
Holland & Knight LLP
2099 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

RECEIVED
D.C. OFFICE OF ATTORNEY GENERAL
2005 OCT 18 PM 3:13



Richard B. Nettler