GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

June 30, 2005

Melanie A. Frank, Esq.
Hogan & Hartson LLP
Columbia Square
555 Thirteenth Street, N.W.
Washington, D.C. 20004-1109

Re: BZA Appeal No. 17384 (2101 S Street, N.W.) Embassy of the Republic of Moldova, Appeal of a HPRB Denial of Permit Application for Window Replacement in Chancery Building

Dear Ms. Frank:

The Office of Zoning is returning the appeal you filed on behalf of your client, the Embassy of the Republic of Moldova. After consultation with the Office of the Attorney General for the District of Columbia, we have determined that this is an improper appeal to the Board of Zoning Adjustment pursuant to the Foreign Missions Act.[1]

Pursuant to that Act, the BZA may hear and decide a foreign mission's appeal of "an administrative decision relating to a chancery based in whole or in part upon *any zoning map or regulation*" (emphasis added).[2] No portion of the decision being appealed pertains to the zoning map or regulations. Therefore, the Board has no appellate jurisdiction with respect to the decision complained of. Please call Richard S. Nero, Jr., Chief, Support Services and Quality Control at (202) 727-6311, if you have any questions relevant to the foregoing.

**SINCERELY,**

**JERRILY R. KRESS, FAIA**
**Director, Office of Zoning**

[1] *See,* The Foreign Missions Act, 22 U.S.C. § 4306; D.C. Official Code §§ 6-1306 (2001).
[2] *See,* 22 U.S.C. §§ 4306(c)(1), 4306(d); D.C. Official Code §§ 6-1306(c)(1), 6-1306(d) (2001).



BZA
CASE No. 17384
EXHIBIT No. 14

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