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September 20, 2007

VIA HAND-DELIVERY

Ms. Ruthanne G. Miller
 Chairperson
 Board of Zoning Adjustment
 441 4th Street, N.W.
 Room 200
 Washington, D.C. 20001

Re: BZA Appeal 17657

Dear Chairperson Miller:

On September 18, 2007, this firm timely filed the Appellant's Pre-Hearing Statement and Motion for Summary Judgment, including Exhibit F, an affidavit of Mr. Olutoye Bello. As a result of unforeseen personal circumstances, Mr. Bello was unable to sign and notarize the Affidavit.

The Appellant respectfully requests the Board to waive its Rules and accept into the record the original and twenty (20) copies of a replacement Exhibit F, including specifically a signed and notarized version of Mr. Bello's Affidavit. The text of Mr. Bello's Affidavit was not changed.

Thank you for the Board's cooperation and patience in this matter.

BOARD OF ZONING ADJUSTMENT
 District of Columbia

CASE NO. 17657
 EXHIBIT NO. 18

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Board of Zoning Adjustment
 District of Columbia
 CASE NO. 17657
 EXHIBIT NO. 18

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GREENSTEIN DELORME & LUCHS, P.C.

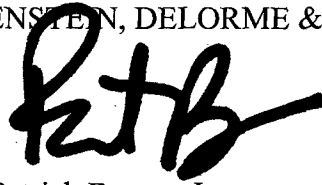
Ms. Ruthanne G. Miller

September 20, 2007

Page 2

Very truly yours,

GREENSTEIN, DELORME & LUCHS, P.C.

A handwritten signature in black ink, appearing to read "JPB", with a long horizontal stroke extending to the right.

John Patrick Brown, Jr.

Enclosures

JPB:prm

cc: The Honorable Neil O. Albert
Jill Stern, Esquire (By Hand)
Doris Parker-Woolridge, Esquire (By Hand)
Mr. William Shelton, Chair, ANC 5B
Ms. Elise Bernard, ANC 5B08

DO. CHENG, CHENG

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EXHIBIT F

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**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

Appeal of 1231 Morse Street, Inc.

BZA Appeal No. 17657
ANC 5B

AFFIDAVIT

I, Olutoye Bello, duly sworn, depose and state as follows:

1. I am over twenty one (21) years of age and make this Affidavit based on personal knowledge of the facts set forth herein.
2. I am the Managing Member of Bello, Bello & Associates, LLC, a Washington, D.C. based zoning consulting and code compliance, plans review and certified third-party inspection company, and am authorized to make this Affidavit in support of the above-captioned BZA appeal on behalf of the Appellant, 1231 Morse Street, Inc. ("Appellant").
3. I have previously served as the Zoning Administrator for the District of Columbia (October 2004 through May 2005), and was employed by the District of Columbia government for approximately fifteen (15) years in a variety of zoning related positions, including at DCRA and at the Office of Zoning. As a result, I have extensive knowledge and understanding of the duties, responsibilities and limitations of the authority of the Office of the Zoning Administrator and the process by which building permits are applied for, reviewed, approved/denied, and enforced.
4. The Zoning Administrator for the District of Columbia, among other agencies within the District of Columbia government, reviews applications for construction permits, and either approves or disapproves the same based on compliance with the Zoning Regulations. The Zoning Administrator is also responsible for reviewing existing building permits for continued compliance with the Zoning Regulations.

5. Building Permit B477039 [dated September 6, 2005 approving "Addition to SFD/Convert SFD to 11-Unit Apt."] ("Original Building Permit") authorizing the construction of an addition to the existing single family dwelling located at 1231 Morse Street, N.E. (Square 4069, Lot 130) (the "Property") to convert the dwelling to an eleven (11) unit apartment building was reviewed and approved by the Zoning Administrator's Office and remains valid and in compliance with the applicable Zoning Regulations.

6. Emergency Demolition Permit Number B478240 [dated February 14, 2006 approving "Emergency Demo."] ("Emergency Demolition Permit") authorizing the demolition of the existing single family dwelling located at the Property was reviewed and approved by the Zoning Administrator's Office and remains valid.

7. The addition to and conversion of a single family dwelling located in the R-4 zone district to an eleven unit apartment building at the Property, is a conforming use and structure in accordance with the Zoning Regulations, 11 DCMR § 330.5(c).

8. A single family dwelling is independently a conforming use and conforming structure in the R-4 zone district, in accordance the Zoning Regulations, 11 DCMR § 201.1(a).

9. Based on my extensive experience in the interpretation and enforcement of the Zoning Regulations, it is well established and beyond dispute that a conforming use and conforming structure destroyed by casualty or Act of God may be rebuilt as a matter-of-right, and therefore is not in violation of the Zoning Regulations.

10. I have personally reviewed the plans for the Revised Permit Application for the Property, and conclude that the plans for the reconstruction of the pre-existing single-family

dwelling portion of the eleven unit apartment building located at the Property are accurate and in compliance with the Zoning Regulations.

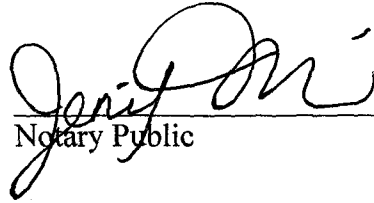
11. In my experience, the Zoning Administrator and/or DCRA does not have the authority to revoke a valid building permit alleging that a structure which existed as a matter-of-right but was partially destroyed under an emergency demolition permit and Act of God was issued in error or on misrepresentation based on the unsupported claim that the building permit application does not comply with the provisions of 11 DCMR § 330.5(c).

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FOR SIGNATURE PAGE**



Olutoye Bello

Subscribed and sworn to me this 19th day of September, 2007.


Notary Public

My Commission Expires: 6/30/2011