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2007 MAY -8 PM 2: 54

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May 8, 2007

JOHN T. EPTING
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VIA HAND DELIVERY

Ruthanne Miller, Chairperson
D.C. Board of Zoning Adjustment
Office of Zoning
441 4th Street, NW, Room 210
Washington, DC 20001

**Re: Minshall Stewart Properties, LLC ("Appellant") –
Appeal of Determination by Zoning Administrator Regarding
2175 K Street, NW and West End Place (Lot 83, Square 73) in
Connection with BZA Application No. 17594 and
Request to Consolidate This Appeal and Application No. 17594**

Dear Chairperson Miller and Members of the Board:

As we discussed with the Board on April 17, 2007, in our request to postpone BZA Application No. 17594, we requested that the Zoning Administrator of the District of Columbia determine whether the above-referenced properties located on Lot 83 in Square 73 constitute one building for purposes of zoning. On Friday, April 20, 2007, we received a determination from the Zoning Administrator that the properties are two buildings. Accordingly, we hereby appeal the determination of the Zoning Administrator, for the reasons submitted herein.

We respectfully request that the Board schedule the appeal prior to its consideration of BZA Application No. 17594 on June 19, 2007 and consolidate the two matters. Section 3112.9 of the Zoning Regulations permits the hearing date for an appeal to be advanced for good cause shown. As we noted in our motion to dismiss in the application, should the Board determine that the Zoning Administrator was in error, and the properties are one building for purposes of zoning, then variance relief would no longer be required and the application should be dismissed. Conversely, should the Board confirm the Zoning Administrator's ruling, we would be prepared to proceed with the variance relief request.

Please feel free to contact us should you need any additional information.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 17667

EXHIBIT NO. 1

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Board of Zoning Adjustment
District of Columbia
CASE NO. 17667
EXHIBIT NO. 1

D.C. Board of Zoning Adjustment
May 8, 2007
Page 2

Sincerely yours,

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John T. Epting

A handwritten signature in black ink, appearing to read "David M. Avitabile". The signature is cursive, with a large initial "D" and a long, sweeping underline.

David M. Avitabile

CERTIFICATE OF SERVICE

I hereby certify that on May 8, 2007, a copy of this letter and enclosure were served by hand or electronic mail to the following parties as well as individuals and associations that have requested party status in Application No. 17594 (or, when appropriate, identified counsel for those individuals or associations):

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