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October 5, 2007

VIA HAND DELIVERY

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

JOHN T. EPTING
202-663-8879
john.epting@pillsburylaw.com

**Re: Minshall Stewart Properties, LLC ("Appellant") –
Appeal No. 17667: Appeal of Zoning Administrator's Determination
Regarding Property Located At Lot 83 in Square 73
Applicant's Hearing Exhibits-REPLACEMENT FILING**

Dear Chairperson Miller and Members of the Board:

Attached are 10 copies of our September 25, 2007 filing in the above-captioned case. While these exhibits were filed in a timely manner and received by the Office of Zoning, as indicated by the two date stamps on the cover letter, we have been advised by staff that they have been lost. The attached copies will serve as replacements for the lost filing.

We look forward to continuing with the public hearing on October 9.

Sincerely yours,

John T. Epting

David M. Avitabile

Enclosures

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 17667

EXHIBIT NO. 25

DC OFFICE OF ZONING
2007 OCT -5 AM 11:11

EXHIBIT A

The attached plans were part of the record in the original BZA proceeding involving the subject property (BZA Application No. 13148).

- Page 1 – Cover Page: includes a tabulation of development data that evaluates the measuring point and rear yard of the two structures as one building)
- Page 2 –Plan, 3rd Floor: illustrates the balcony that crosses over the zoning line to connect to the office structure
- Page 3 – Balcony, 3rd Floor: provides a close-up view of the balcony and clearly shows that it extends beyond the zoning/property line to connect with the office structure.

CERTIFICATE OF SERVICE

I hereby certify that on October 5, 2007, a copy of this letter (without enclosure) was served by electronic mail to the following:

Travis Parker
Office of Planning
801 North Capitol Street, NE, 4th Floor
Washington, DC 20002

Matthew LeGrant
Acting Zoning Administrator
Dept. of Consumer & Regulatory Affairs
941 North Capitol Street, NE, Suite 2000
Washington, DC 20002

Stephen N. Gell, Esq.
Counsel for Florence Harmon and Thomas Scholz
1101 30th Street, NW, Suite 500
Washington, DC 20007

Cornish F. Hitchcock, Esq.
Counsel for West End Place Condominium
1200 G Street, NW Suite 800
Washington, DC 20005

Advisory Neighborhood Commission 2A
West End Branch Library
1101 24th Street, NW
Washington, DC 20037

Dennis Taylor, Esq.
941 N. Capitol Street NE
9th Floor, Room 9400
Washington, DC 20002


David M. Avitabile



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D.C. OFFICE OF ZONING

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2007 OCT 11 2:13 PM

September 25, 2007

VIA HAND DELIVERY

JOHN T. EPTING
202-663-8879
john.epting@pillsburylaw.com

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 No. 17667: Appeal of Zoning Administrator's Determination
Regarding Property Located At Lot 83 in Square 73
Applicant's Hearing Exhibits**

Dear Chairperson Miller and Members of the Board:

At the September 11, 2007 public hearing, the BZA requested that the Applicant and parties in opposition file those plans and exhibits they intend to use at the public hearing. Attached please find the following exhibits for your consideration:

- Exhibit A: Plans from the record of the original BZA Application No. 13148 involving the Property. These plans clearly illustrate the balcony referred to by the building's architect and the previous members of the BZA during the public hearing in the original case, as discussed in the Applicant's pre-hearing submission on page 4 and pages 7-8.
- Exhibit B: Plans illustrating the structures are one building for zoning purposes.

The Applicant also requests that DCRA, as a party to the proceeding, also submit any plans or exhibits that it intends to present at the public hearing for review by the other parties. Please feel free to contact us should you need any additional information. We look forward to continuing with the public hearing on October 9.

Sincerely yours,

John T. Epting

David M. Avitabile

2007 OCT 11 5:13 PM

D.C. OFFICE OF ZONING

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RECEIVED
D.C. OFFICE OF ZONING
OCT 25 PM 12:13

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on September 25, 2007, a copy of this letter and enclosure was served by hand to the following:

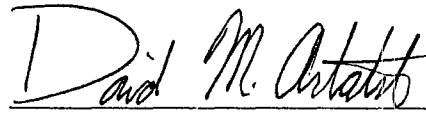
Travis Parker
Office of Planning
801 North Capitol Street, NE, 4th Floor
Washington, DC 20002

Matthew LeGrant
Acting Zoning Administrator
Dept. of Consumer & Regulatory Affairs
941 North Capitol Street, NE, Suite 2000
Washington, DC 20002

Stephen N. Gell, Esq.
Counsel for Florence Harmon and Thomas Scholz
1101 30th Street, NW, Suite 500
Washington, DC 20007

Cornish F. Hitchcock, Esq.
Counsel for West End Place Condominium
5301 Wisconsin Avenue, N.W., Suite 350
Washington, D.C. 20015-2022

Advisory Neighborhood Commission 2A
West End Branch Library
1101 24th Street, NW
Washington, DC 20037

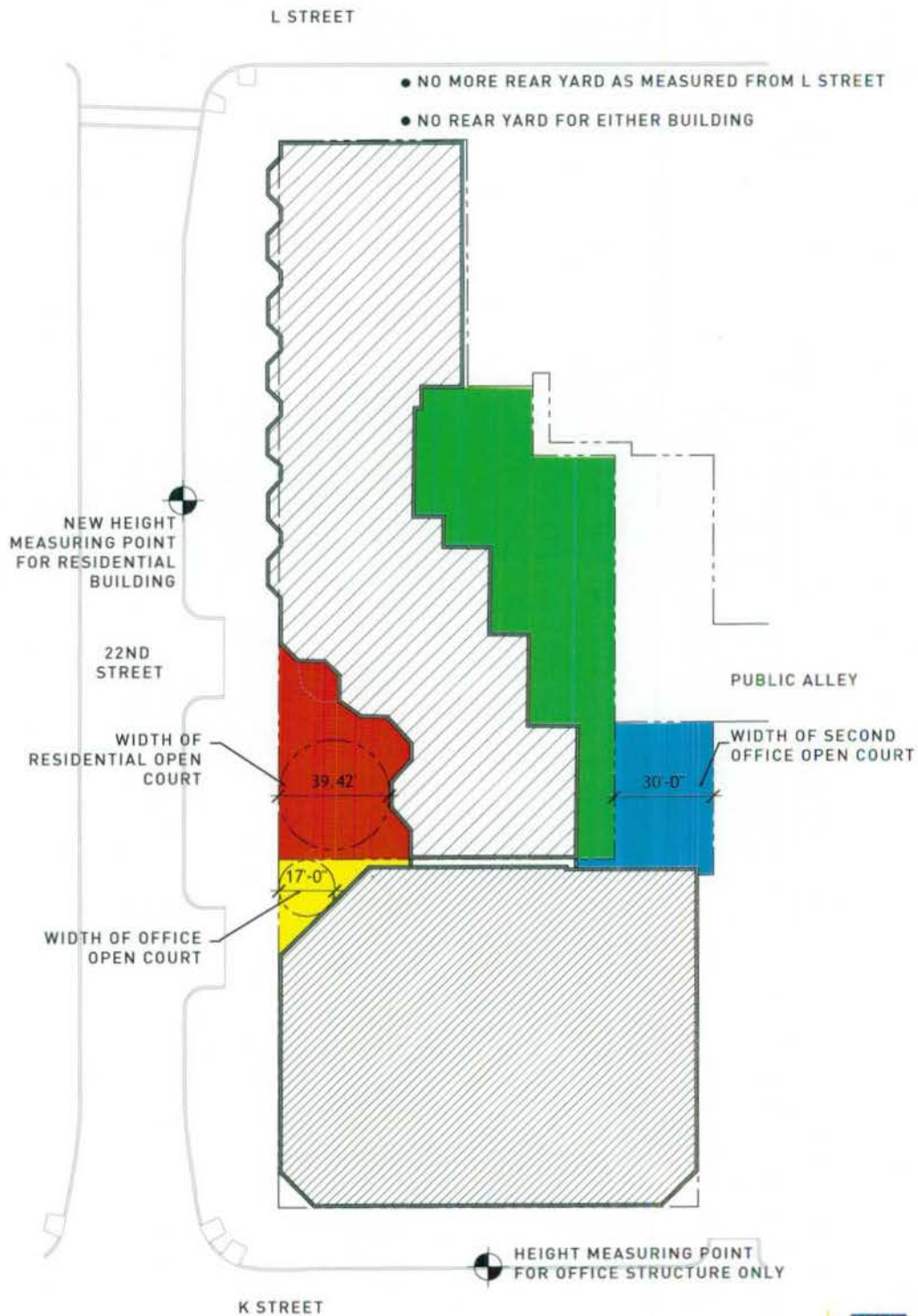


David M. Avitabile

BOARD OF ZONING ADJUSTMENT

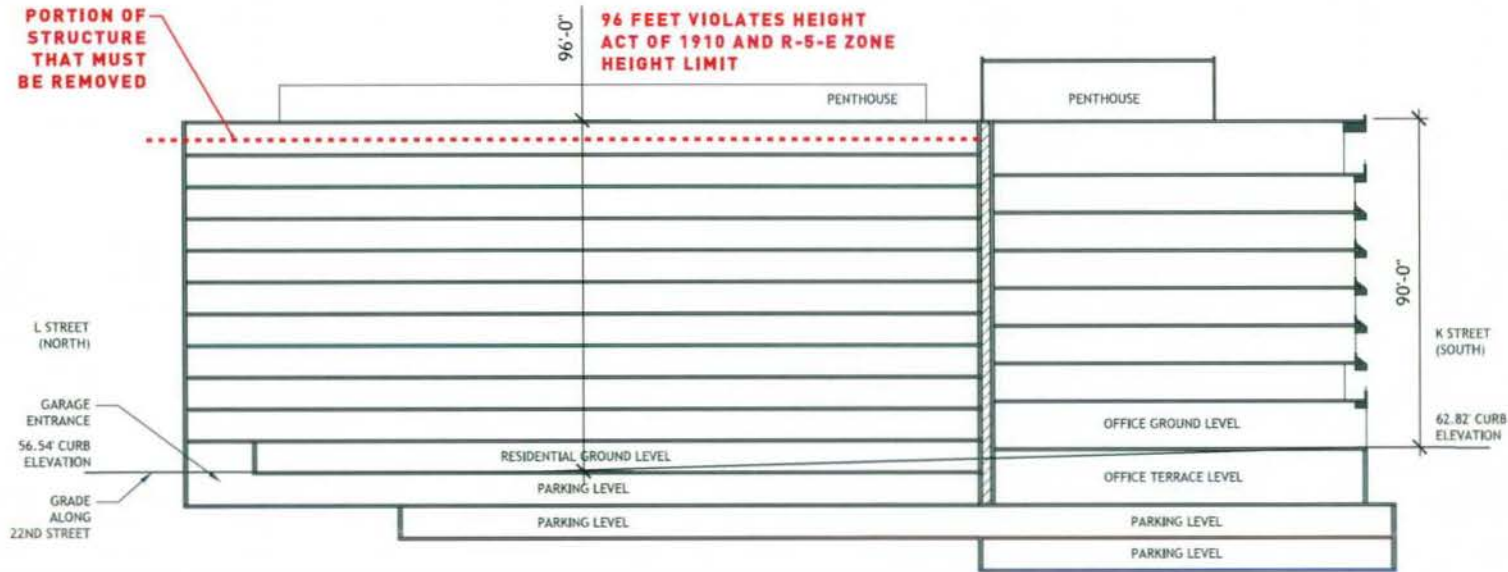
2175 K Street, NW

Two Buildings Condition



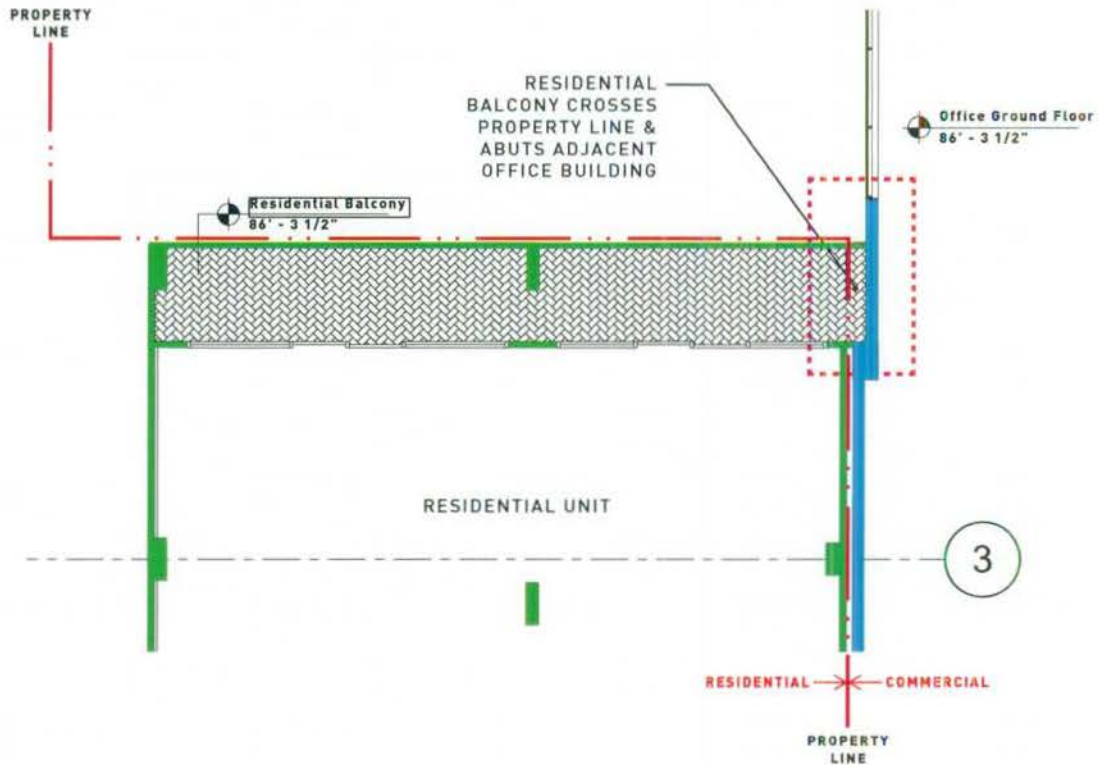
BOARD OF ZONING ADJUSTMENT 2175 K Street, NW

Building Section (Orientation Rotated for Page Layout)

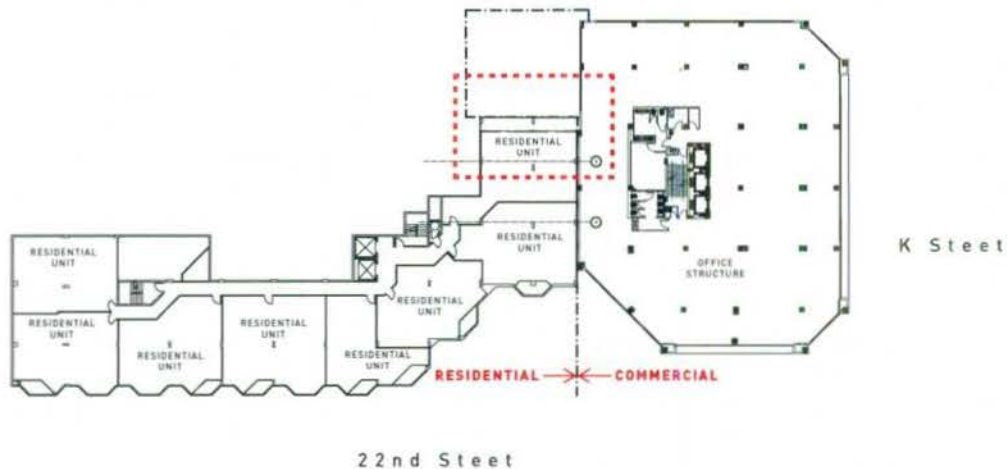


BOARD OF ZONING ADJUSTMENT
2175 K Street, NW

Residential Balcony Intrudes onto Commercial Property

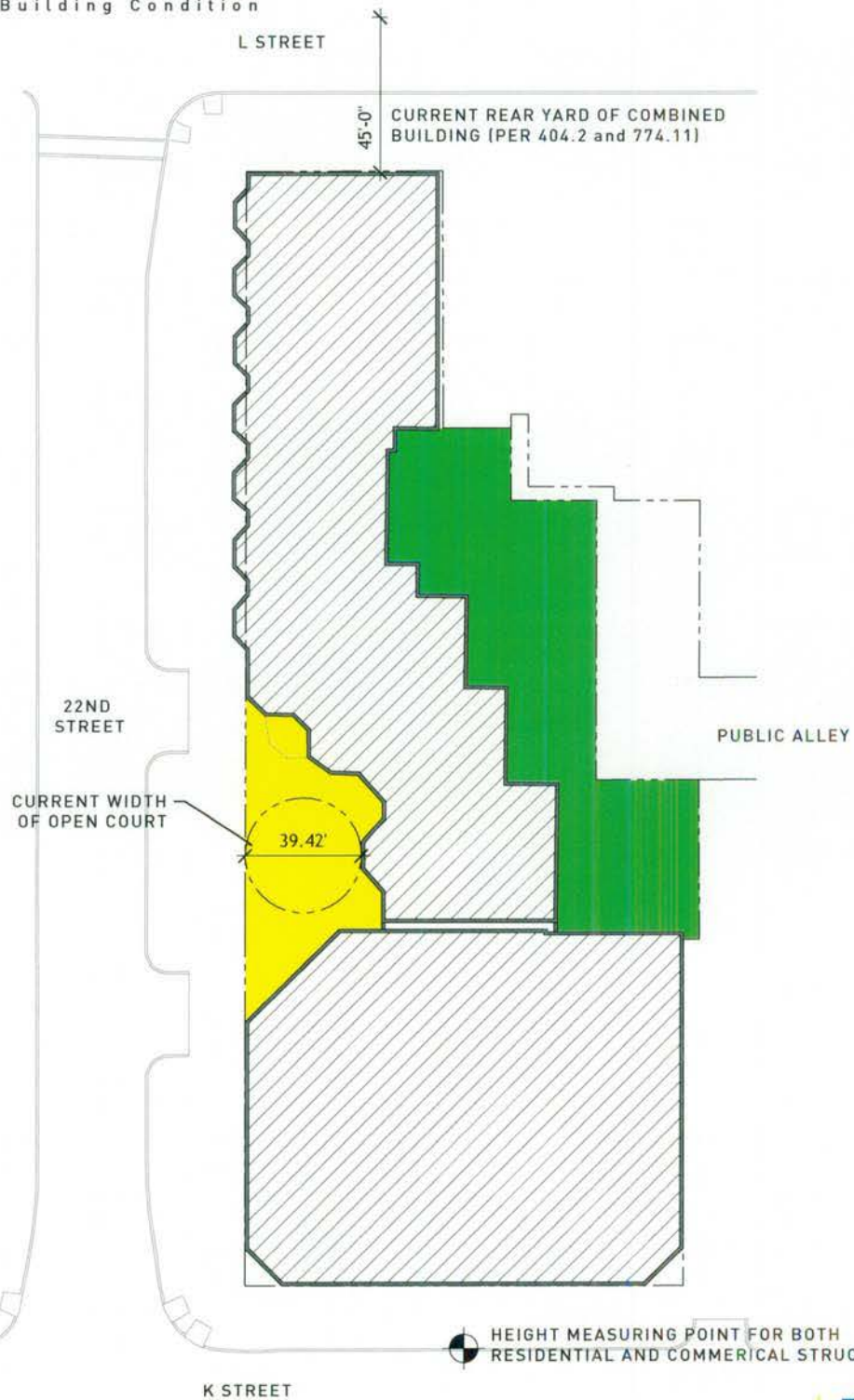


Key Plan:



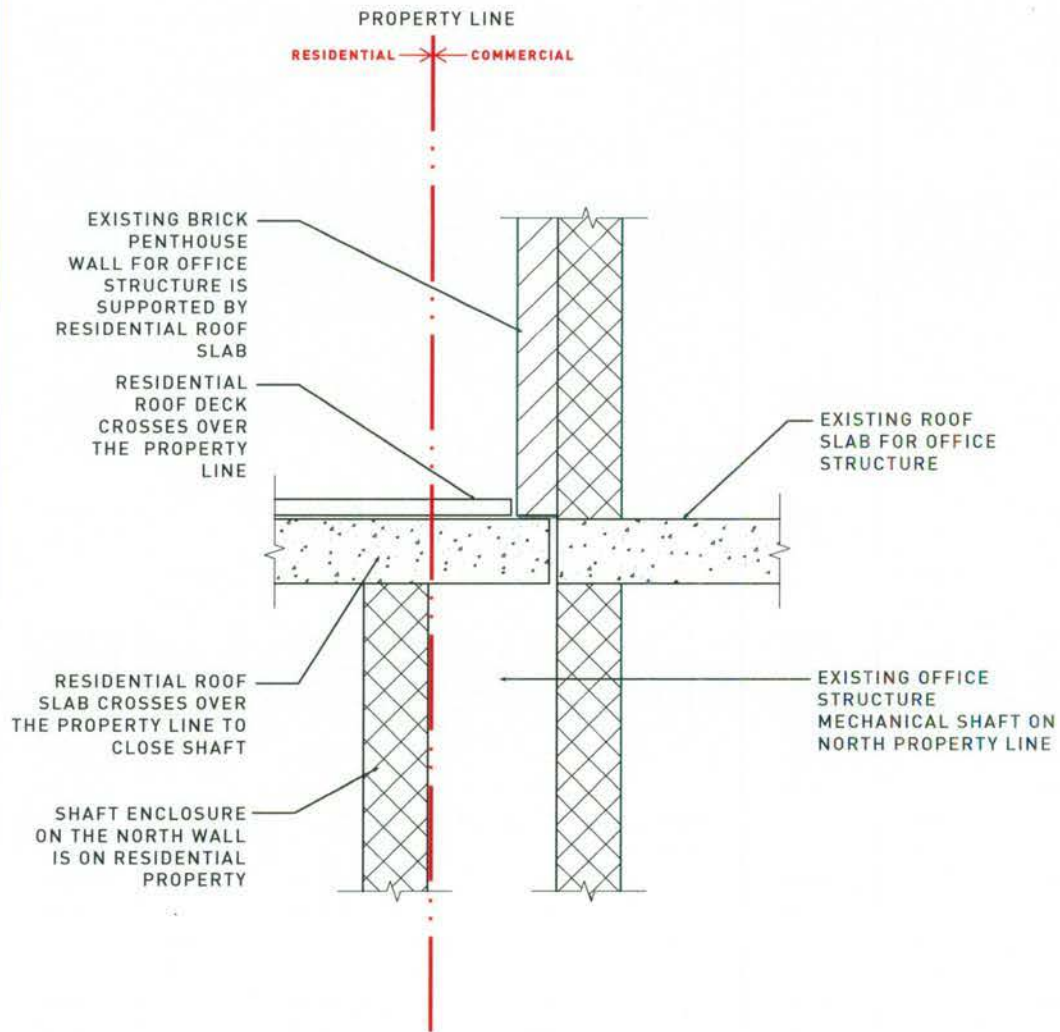
BOARD OF ZONING ADJUSTMENT
2175 K Street, NW

One Building Condition

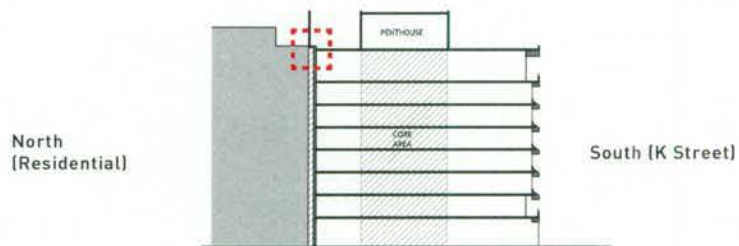


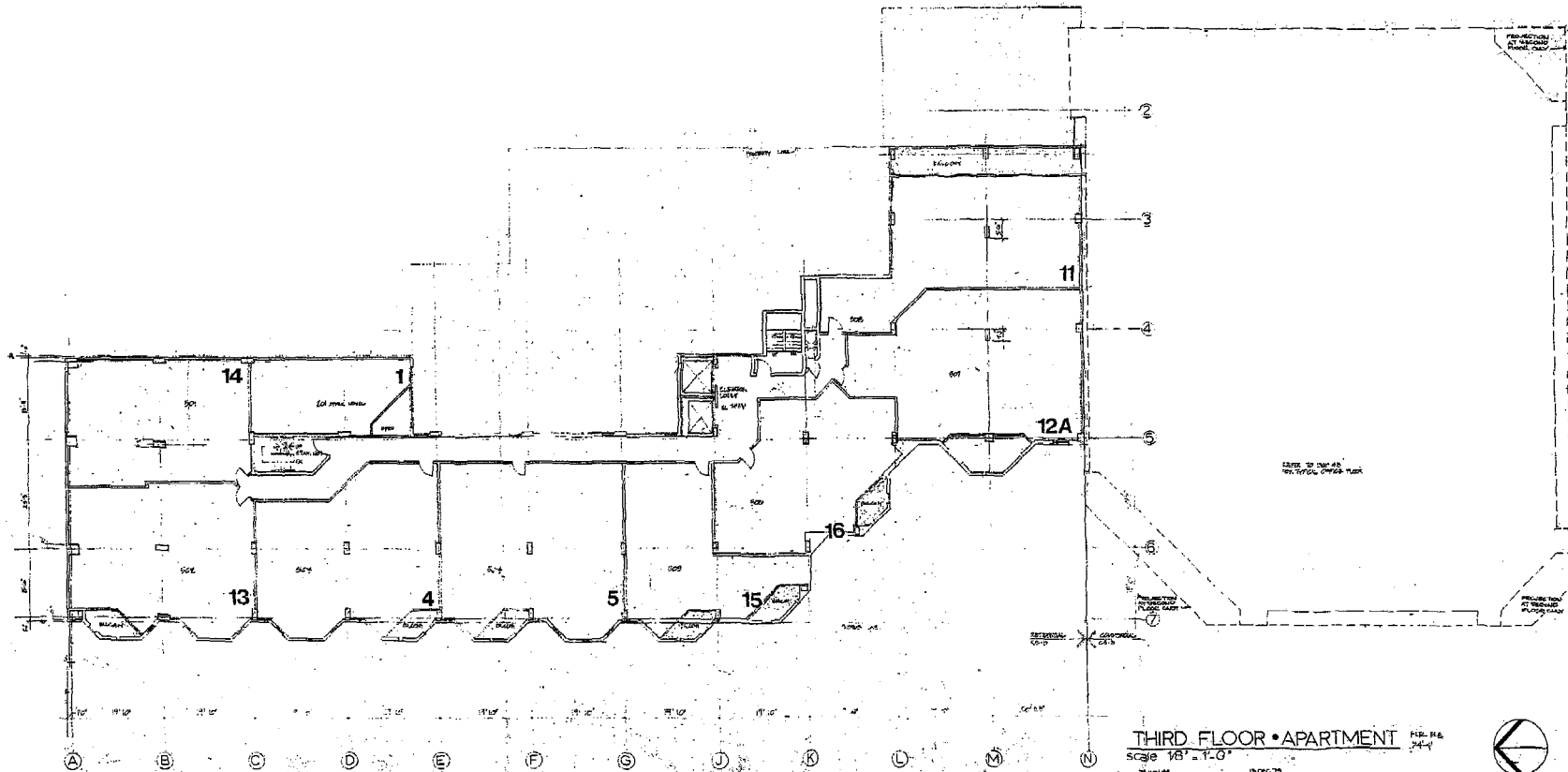
BOARD OF ZONING ADJUSTMENT
2175 K Street, NW

Mechanical Shaft Detail



Key Plan:





K 22

Apartment House
Office Building

Owner:
K 22 Associates
1120 Nineteenth St. NW
Washington, D.C. 20036

Developer:
The Evans Company
1120 Nineteenth St. NW
Washington, D.C. 20036

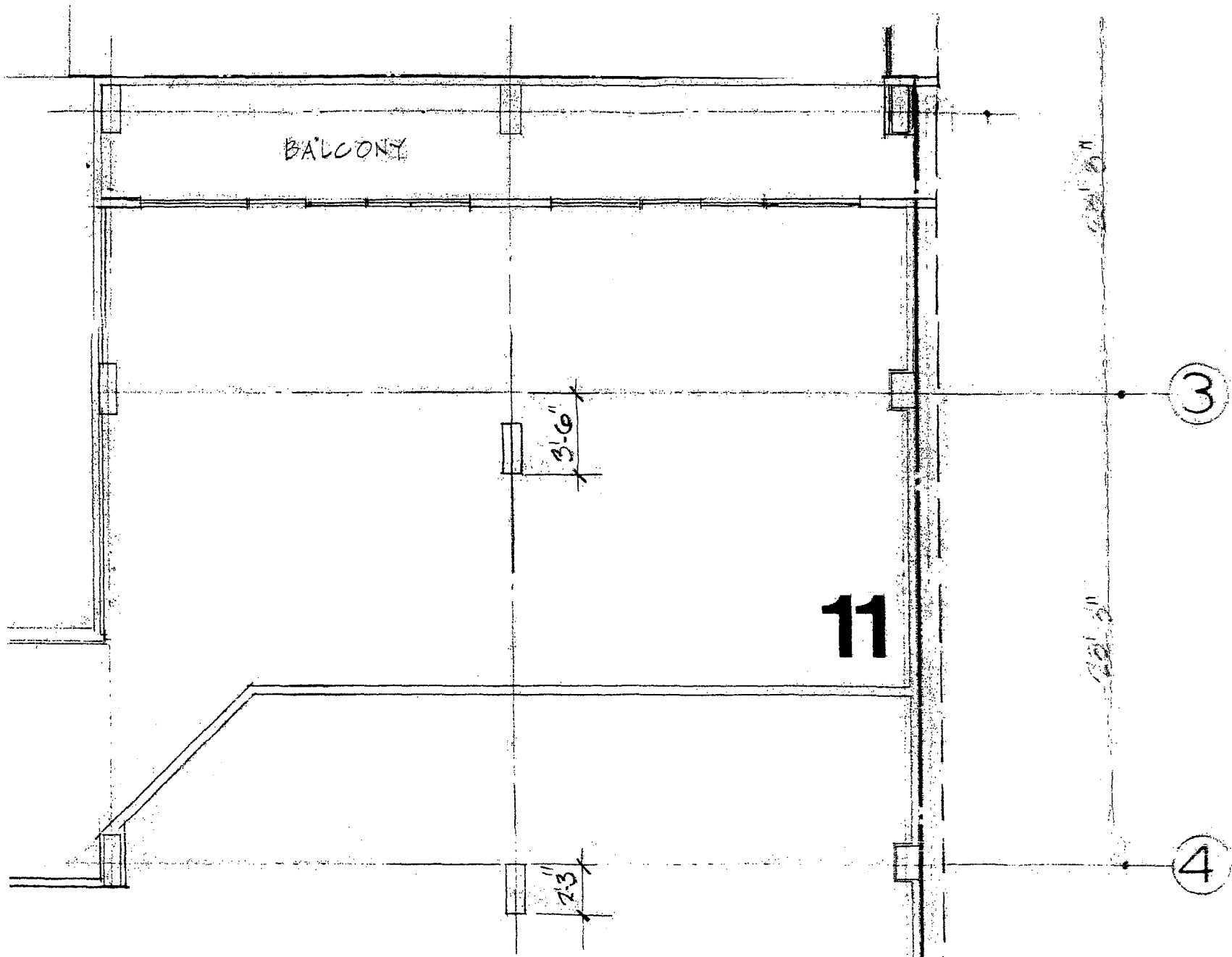
Architect:
Smith, Segrest, Tepper
321 Connecticut Ave. NW
Washington, D.C. 20036

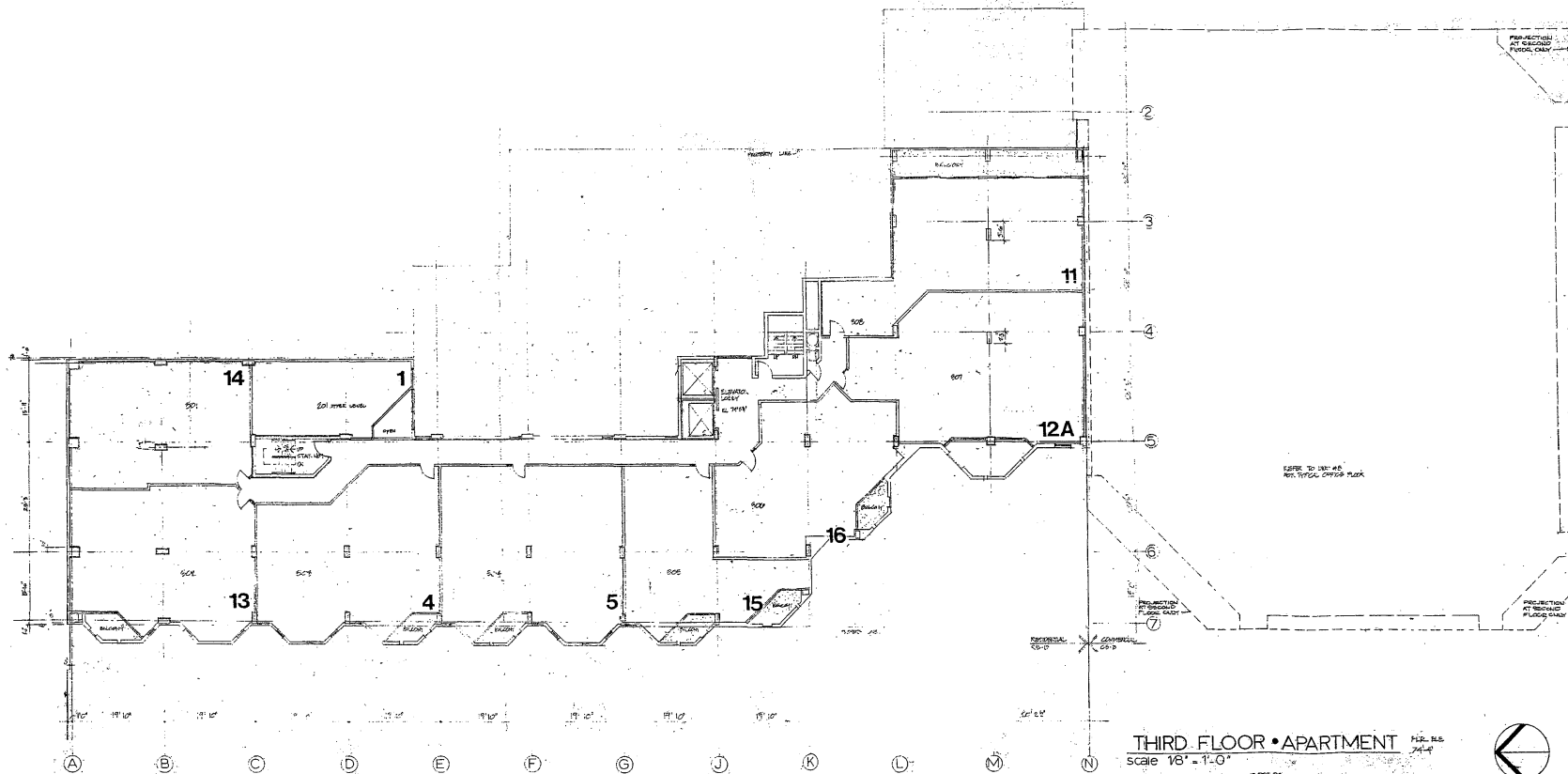
Structural Engineer:
KCE Structural Engineers
1220 Wisconsin St. NW
Washington, D.C. 20036

Electrical Engineer:
Goodwin H. Taylor, Ltd.
8017 Lucania Road
Alexandria, Virginia 22302

Civil Engineer:
Bernard E. Locraft
2415 Congressional Drive NW
Washington, D.C. 20007

Sheet Number
6





THIRD FLOOR • APARTMENT
Scale 1/8" = 1'-0"

11 JAN 11
12 DEC 10
13 DEC 10



K 22

Apartment House
Office Building

Owner:
K 22 Associates
1120 Nineteenth St. NW
Washington, D.C. 20036

Developer:
The Evans Company
1120 Nineteenth St. NW
Washington, D.C. 20036

Architects:
Smith, Segreti, Tepper
101 Connecticut Ave. NW
Washington, D.C. 20036

Structural Engineer:
KCE Structural Engineers
1120 Nineteenth St. NW
Washington, D.C. 20036

Electrical Engineer:
Goodwin H. Taylor, Ltd.
6121 Lincoln Road
Alexandria, Virginia 22302

Civil Engineer:
Bernard E. Locraft
1049 Congressional Court NW
Washington, D.C. 20007

Sheet Number
6
S. J. L. 11/00

