



COUNCIL OF THE DISTRICT OF COLUMBIA
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 WASHINGTON, D.C. 20004

Phil Mendelson
 Councilmember At-Large

BOARD OF ZONING ADJUSTMENT
 District of Columbia

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CASE NO. 17671
 EXHIBIT NO. 22

January 14, 2008

Ms. Ruth Anne Miller, Chairman
 Board of Zoning Adjustment
 441 4th Street, NW Suite 210
 Washington, DC 20001

RE: Case No. 17671 (1432 Monroe Street)

Dear Ms. Miller:

BZA Case No. 17671 is an appeal filed by ANC 1-A regarding construction that has been underway for quite some time. Initially this case was scheduled for hearing almost three months ago. Now it is scheduled for this Tuesday, January 15th. However, the Board's schedule is clearly overlooked again. Justice is not being served.

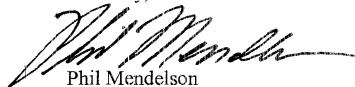
Meanwhile, construction subject to the appeal continues apace. January 15, 2008 is 250 days after the case was filed. The hearing was first set for October 23, 2007. When the Board's morning schedule spilled over into the afternoon, the Board rescheduled the case for October 30th. The ANC appeared once again, and again the BZA's schedule was too full to hear the case. One wonders why the Board would have done this. Nevertheless a new date was set – 85 days after the original date. When the ANC objected that this further delay would allow what it believes to be illegal construction to continue, the chairman assured the ANC that it could rely on this new date, because it would be the only case on the afternoon agenda.

Despite that promise, the Board's schedule for January 15th includes a special public meeting to decide two cases in the morning, hear three additional cases, and hear three more cases in the afternoon. The ANC's case has been moved to last of the day. With the schedule as it stands it is unrealistic to expect that case 17671 will be heard this Tuesday.

While it may be said that the builder proceeds at his own risk, the reality is that government is always reluctant to undo what has been done. And the builder (intervenor) will be sure to remind the Board of his cost. Delay is not in the interest of justice.

It is urgent that the Board hear this case now. I ask you to honor your word to the ANC to take up their case first on your afternoon agenda for January 15, 2008 and to ensure that your morning cases do not continue into the afternoon. Mitigating potential damages caused by delay is in the best interest of all parties to this case and to the District of Columbia in the long run.

Sincerely,



Phil Mendelson

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D.C. OFFICE OF ZONING

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