



ADVISORY NEIGHBORHOOD COMMISSION 1A

ANC 1A01 - Jacqueline Arguelles
 ANC 1A02 - Calvin Woodland
 ANC 1A03 - Alex Hogan
 ANC 1A04 - Betty Pair
 ANC 1A05 - Anne Theisen

ANC 1A06 - Samuel Johnson
 ANC 1A07 - Larry Ray
 ANC 1A08 - Janisha Richardson
 ANC 1A09 - Donny Gonzalez
 ANC 1A10 - Lenwood Johnson
 ANC 1A11 - Dotti Love Wade

February 11, 2008

Board of Zoning Adjustment
 441 4th Street, N.W., Suite 210
 Washington, D.C. 20001

BOARD OF ZONING ADJUSTMENT
 District of Columbia
 CASE NO. 17671
 EXHIBIT NO. 25

FEB 11 2008
 DC DISTRICT OF COLUMBIA
 RECEIVED

Re: BZA Appeal No. 17671

Dear Members of the Board of Zoning Adjustment:

It is with great reluctance that ANC 1A withdraws its appeal in the captioned case, as DCRA has not provided a set of fully stamped drawings on which its new permit for the project (Building Permit No. 114636) was based.

Although DCRA provided a set of drawings that appear to resolve each matter raised by the ANC in Appeal No. 17671, only the cover sheet is stamped. We reiterate our position that normal practice and policy is for each relevant sheet to be stamped to ensure that it has been reviewed and approved by the respective discipline, as is the case with life/safety on the drawings provided to the ANC. Such a procedure is the only way to ensure that any future construction will conform to the revised set and the only way to deter potential fraud.

In withdrawing this appeal, ANC1A notes that its appeal appears to have resulted in a correction of the six areas in which the Zoning Administrator erred in approving Building Permit No. 90426. However, we also note that it took the ZA more than six months after the filing of the appeal to correct the error, while never acknowledging the error to the BZA – in fact, doing just the opposite by defending the appeal. ANC1A is also troubled by the fact that council for DCRA worked diligently to prevent this case from being heard at all, thereby, attempting to deny the right of appeal to the taxpaying residents living near this project.

While each and every page of the plans used to approve Building Permit No. 114636 has not been stamped and signed by the Office of the Zoning Administrator, ANC1A expects that each and every page submitted to its office be treated as the final plan as though signed by the Zoning Administrator with all the same legal restrictions and responsibilities. ANC1A also expects no further changes to plans will be.

Respectfully,



Anne Theisen
Vice Chair, ANC 1A

cc: Mayor Adrian Fenty
Councilmember Vincent Gray
Councilmember Jim Graham
Councilmember Mary Cheh
Councilmember Phil Mendelson
Linda Argo, Director of DCRA



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing ANC1A filing to the DC BZA was served by e-mail this 11th day of February, 2008, to the following:

Robert Cooper, Esquire
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Matthew LeGrant
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Anne Theisen, ANC1A05 Commissioner
Vice Chair, ANC1A
Chair, ANC1A Planning and Zoning Committee