

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

**Statement Concerning Exhibit 21: Attestation of Notices**

**September 14, 2018**

On September 11, 2018, the BZA Secretary filed an Attestation of Notices in this case. (Exhibit 21). But, respectfully, it appears that the Attestation may be lacking in two ways:

1. The Attestation declares that it was filed under 11-Y DCMR § 501.4. That section, however, addresses the rights of intervenors during a zoning appeal. It appears that the correct regulation is 11-Y DCMR § 504.1
2. The Attestation does not certify and attest that notice of the public hearing has been sent to the property owner. In fact, the property owner has been notified. (Exhibit 20).

To avoid issues over the Board's jurisdiction in this appeal, the Appellant requests that the BZA Secretary file a new Attestation of Notices citing 11-Y DCMR § 504.1 and certifying and attesting that the property owner has properly received notice of the public hearing. *See* 11-Y DCMR § 504.3 (implying that the Board lacks jurisdiction over cases when there is a more-than-minor defect in the notice of public hearing).

The Appellant thanks the Board for its continued time and attention to this matter.

Sincerely,

/s/ Stephen A. Cobb

Stephen A. Cobb

Appellant

BZA Case No. 19818