ShawPittman LLP

A Limited Liability Partnership Including Professional Corporations

November 30, 2001

Ms. Carol Mitten, Chairperson
District of Columbia Zoning Commission
441 4th Street, NW, Room 210
Washington, DC 20001

Re: *Sua Sponte* Review of BZA Appeal No. 16716
Response of Sunrise Connecticut Avenue Assisted Living, LLC
("Sunrise") to Issues Raised in Connection with *Sua Sponte* Review

Dear Chairperson Mitten and Members of the Commission:

Sunrise, the owner of 5111 Connecticut Avenue, N.W., hereby responds to the Zoning Commission's consensus decision on November 19, 2001 regarding its *sua sponte* review in this case. Sunrise fully agrees with the Commission's preliminary decision that the revised roof structure plans fully comply with all applicable provisions of the Zoning Regulations.

In fact, Sunrise has filed for a minor modification of the existing building permit to construct the revised roof structure and design. This minor modification is being filed with the Department of Consumer and Regulatory Affairs, Building and Land Regulation Administration today. Sunrise relies upon and agrees with the statement of Chairperson Mitten that the minor modification of the existing building permit will not affect the vested rights under Building Permit No. B435464.

As a result of filing for the minor modification of the existing building permit, Sunrise agrees with the Commission's determination that it should issue a *sua sponte* order that dismisses the issues under *sua sponte* review as moot. Sunrise requests that the Zoning Commission issue its Order to this effect as soon as possible.

BZA
Case No. 16716
Exhibit No. 13

Respectfully submitted,

Maureen E. Dwyer
Maureen E. Dwyer

Allison C. Prince
Allison C. Prince

cc: All Parties

Document #: 1190015 v.1

ZONING COMMISSION
District of Columbia
CASE NO.16716
EXHIBIT NO.13

ShawPittman LLP

Certificate of Service

I hereby certify that a copy of the foregoing letter was delivered by hand on this 30th day of November, 2001, to the following:

Anne Paige Chiapella
President, Nebraska Avenue Neighborhood Association
5126 Nebraska Avenue, NW
Washington, DC 20015

Joseph Bishop, ANC 3G
3210 Chestnut Street, NW
Washington, DC 20015

Marilyn Holmes, ANC 3G
3700 Military Road, NW
Washington, DC 20015

William Bennett, Esq.
Office of the Corporation Counsel
441 4th Street, NW
Washington, DC 20001

Allison C. Prince

Document #: 1139169 v.6