ARNOLD & PORTER

Cynthia A. Giordano
Cynthia_Giordano@aporter.com

202.942.5840
202.942.5999 Fax
202.654.7058 Cell

555 Twelfth Street, NW
Washington, DC 20004-1206

July 8, 2002

Carol Mitten
Chair, Zoning Commission
Office of Zoning
441 4th Street, NW
Washington, DC 20001

D.C. OFFICE OF ZONING
2002 JUL -8 PM 3:33

Re: Post Affidavit, ZC Case No. 02-05C
First Stage PUD and Map Amendments
New East Capitol

Dear Ms. Mitten:

A waiver of the Zoning Commission's Section 3015.5 regarding posting requirements is requested in the above-referenced case. Section 3015.5 provides that notices of hearing be posted on each street frontage of the subject property and each existing building on the subject property. In this case, all of the street frontages were timely posted as required. However, upon considering the number of existing buildings located on the PUD site, we realized that strict compliance would place an undue burden on the applicant as well as the Office of Zoning which did not have several hundred posting signs to do this job. We were also concerned that many residents of occupied homes within the PUD boundaries would not want to have their homes posted.

In order to ensure adequate substitute notice, the applicant arranged to have copies of the hearing notice delivered to each of the 213 occupied single family homes within the PUD and each of the 193 senior apartment units. This task was undertaken and completed by the East Capitol View CDC as indicated in the attached letter to John Kirkland.

ZONING COMMISSION
District of Columbia
Case 02-05
Exhibit 24

ZONING COMMISSION
District of Columbia
CASE NO.02-05
EXHIBIT NO.24

We urge the Commission to accept this alternative notice in lieu of strict compliance with Section 3015.5

Sincerely,

Cynthia A. Giordano

Enclosure