Government of the District of Columbia

ZONING COMMISSION

October 8, 2002

Jonathan L. Farmer, Esq.
Griffin, Farmer & Murphy, LLP
1912 Sunderland Place, N.W.
Washington, D.C. 20036-1608

Andrew Miscuk, Chairperson
Advisory Neighborhood Commission 1C
P.O. Box 21652
Washington, D.C. 20009

RE: Z.C. Case No. 02-37/16869 Sua Sponte Review of BZA Case No. 16869 (Application of King's Creek, LLC)

Dear Messrs: Farmer and Miscuk:

The Zoning Commission, at its special meeting held September 30, 2002, decided to conduct a *sua sponte* review of the BZA decision concerning the above-referenced application, pursuant to 11 DCMR § 3128. This *sua sponte* review will be based on Subsections 3128.7(a) and (b:)

(a) In a particular instance where it appears to the Commission that the Board has exceeded its prerogative and has thus in effect changed the zoning; and

(b) Where it appears that a basic policy of the Commission, as expressed in the Zoning Regulations, has been violated as a result of action by the Board.

The parties are requested to offer written recommendations and arguments concerning what actions the Zoning Commission should take with respect to this review. These recommendations are due no later than 12:00 noon, Friday, November 29, 2002. If you need additional information, please contact me at 202-727-0330.

Sincerely,

Alberto P. Bastida, AICP
Secretary to the Zoning Commission

cc: Josh Gibson, Commissioner 1A05
Robert Kelly, DCRA

ZONING COMMISSION
District of Columbia
Case 02-37
Exhibit 3

ZONING COMMISSION
District of Columbia
CASE NO.02-37
EXHIBIT NO.3