

April 10, 2009

VIA HAND DELIVERY

Steven E. Sher
Director of Zoning and Land Use Services
202 663 7278
steven.sher@hklaw.com

Ms. Sharon Schellin
Secretary to the Zoning Commission
D.C. Office of Zoning
Suite 210
441 4th Street, N.W.
Washington D.C. 20001

Re: 2269 Cathedral Avenue, N.W.
Square 2210, Lot 803

RECEIVED
D.C. OFFICE OF ZONING
2009 APR 10 PM 1:45

Dear Ms. Schellin:

Enclosed, please find the following related to a request to designate R-5-D zoning for the above-reference property presently not included in any zone district:

- An original and twenty copies of ZC Form 101;
- An original and twenty copies of a statement with exhibits in support of the requested action; and
- A check for \$250, payable to the D.C. Treasurer for the filing fee.

We have included in the Statement in Support (see Section VII) a request that the Zoning Commission act on an emergency basis to designate zoning for the property while the Commission is going through the normal notice and hearing process. We request that this matter be placed before the Commission at its public meeting scheduled for April 27, 2009.

We also further request that the Commission waive the hearing fee applicable to this matter. Pursuant to §3000.8, the Commission "may, for good cause shown, waive any of the provisions of this chapter [including the fees] if, in the judgment of the Commission, the waiver will not prejudice the rights of any party and is not otherwise prohibited by law." This property is unique, in that it is the only individual property in private ownership of which we are aware that is not included in any zone district. The Applicants purchased the property without knowledge of that circumstance. We believe that it is incumbent upon the District to designate some zoning for the property and that it would be unreasonable for the owners to have to pay for a hearing fee resulting from what appears to be an oversight in mapping zoning on the District's part.

ZONING COMMISSION
District of Columbia

CASE NO. 09-07

EXHIBIT NO. 1

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ZONING COMMISSION
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Accordingly, we respectfully request that the Commission adopt R-5-D zoning on an emergency basis, schedule a public hearing on the application for the earliest possible time and grant a waiver of the hearing fee. We are prepared to respond to any questions which you or the Commission may have.

Sincerely,



Christopher H. Collins



Steven E. Sher
Director of Zoning and Land Use Services

Enclosures

cc: Joel Lawson, D.C. Office of Planning (by hand)
Jennifer Steingasser, D.C. Office of Planning (by hand)
Advisory Neighborhood Commission 3C (by mail)
Lee Reba, ANC 3C01 (by mail)

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