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May 13, 2009

VIA HAND DELIVERY

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D.C. Zoning Commission
Suite 210
441 4th Street, N.W.
Washington D.C. 20001

Re: Zoning Commission Case No. 09-07
2269 Cathedral Avenue, N.W.

Dear Members of the Commission:

The above-referenced matter to designate zoning for the property at 2269 Cathedral Avenue, N.W., has been scheduled for a public hearing before the Zoning Commission on June 18, 2009. Consistent with the original application filed by the owners of the property, Scott and Kristen Franklin, and in agreement with the report and recommendation of the Office of Planning, the Commission determined to consider R-5-D zoning, and in the alternative R-4 zoning, and the notice for the hearing so states.

The reason for seeking zoning for the property is to allow the construction of a small addition (approximately 225 square feet) primarily in the area between the house and the garage. That addition would comply with the requirements of R-5-D as a matter-of-right. Because the existing house already exceeds a lot occupancy of forty percent, the Franklins would further require relief from the lot occupancy limitation for a detached or semi-detached dwelling if the property was included in the R-4 District.

On behalf of the Franklins, this is to advise the Zoning Commission that they no longer seek designation of the property in the R-5-D District. As was noted by OP and determined by the Commission when the case was set for hearing, the proposed addition could be constructed under R-4 zoning if a special exception under §223 is granted. The Franklins have filed a request for a special exception under Case No. 09-07A, which is also scheduled to be heard on June 18, 2009. We believe that, in the material filed so far and in the pre-hearing statement to be filed no less than fourteen days before the hearing, we have made and will make the case that the proposed addition complies with the requirements of §223. Upon finding compliance with the specific requirements of the Regulations, the Board of Zoning Adjustment and/or the Commission must grant an application for special exception relief.

ZONING COMMISSION
District of Columbia

CASE NO.

09-07

EXHIBIT NO.

ZONING COMMISSION
District of Columbia
CASE NO. 09-07
EXHIBIT NO. 16

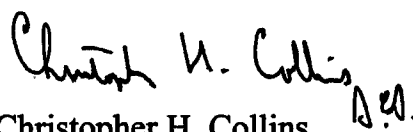
Holland+Knight

May 13, 2009

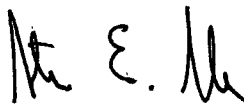
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We appreciate the Commission's attention to this matter and the prompt scheduling of the hearing to consider the two cases. Feel free to contact us if you have any questions about this matter at this time or if we can provide additional information.

Sincerely,

Handwritten signature of Christopher H. Collins in black ink.

Christopher H. Collins

Handwritten signature of Steven E. Sher in black ink.

Steven E. Sher

Director of Zoning and Land Use Services

cc: Scott and Kristen Franklin
Jennifer Steingasser, D.C. Office of Planning
Arthur Jackson, D.C. Office of Planning
Advisory Neighborhood Commission 3C
Lee Brian Reba, ANC 3C01
Alan Bergstein, Office of the Attorney General

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