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Arent Fox

December 3, 2009

VIA FACSIMILE

Anthony Hood, Chairman
Zoning Commission for the District of Columbia
441 Fourth Street NW, Suite 210 South
Washington D.C. 20001

Kinley R. Bray

Attorney
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Reference Number
030919.00003

Re: Zoning Commission Case No. 09-17/09-17A
Application of District of Columbia Public
Library

Dear Chairman Hood and Members of the Board:

On behalf of the District of Columbia Public Library, we hereby request a waiver of the posting requirements of 11 DCMR § 3015.4 and a waiver of the deadline for filing an affidavit of posting pursuant to 11 DCMR § 3015.7.

The Applicant inadvertently posted the property late, and as a result, did not file the required affidavit of posting within the time required under the Commission's rules of procedure. The Property was posted with the required notice on November 25, 2009 at 3:00 p.m. The Applicant filed an affidavit of posting with the Zoning Commission on December 1, 2009.

Prior to posting, the Applicant appeared at a regularly-scheduled public meeting of Advisory Neighborhood Commission ("ANC") 7B on November 19, 2009. The Application was listed on the ANC's agenda, and many members of the surrounding community were present for the meeting. The Advisory Neighborhood Commission voted unanimously to support the application. In addition, no letters in opposition have been filed in this case.

Pursuant to 11 DCMR § 3000.8, the Zoning Commission may waive any of its rules upon a showing of good cause and provided that the waiver will not prejudice the rights of any party. We submit that the application was properly noticed in the District of Columbia Register, that the surrounding community was aware of and had ample opportunity to comment on the application, both directly to the Zoning Commission and via the ANC, and that no party would be prejudiced by the granting of a waiver.

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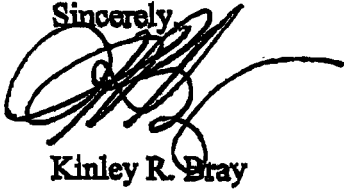
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District of Columbia
CASE NO. 09-17
EXHIBIT NO. 30

Anthony Hood,
Chairman
December 3, 2009
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The Applicant regrets the lapse in posting, but respectfully requests that the Board waive its own rules to allow the hearing scheduled for this evening to go forward.

Sincerely,

A handwritten signature in black ink, appearing to be 'Kinley R. Bray', written over the word 'Sincerely,'.

Kinley R. Bray

Facsimile

Arent Fox

Date: December 3, 2009
Pages (including cover): 2
Attorney #: 2488
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PLEASE DELIVER TO:

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