



**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Dupont Circle Advisory Neighborhood Commission 2B**

April 20, 2009

Marc Loud, Chairman  
Board of Zoning Adjustment  
441 Fourth Street NW, Suite 210 South  
Washington DC 20001

RE: BZA Case No. 17337

Dear Chairman Loud and Members of the Board:

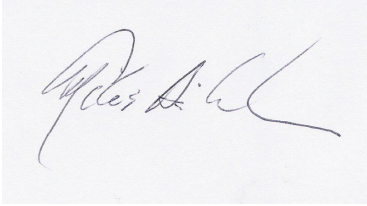
Advisory Neighborhood Commission 2B has been notified that the Applicant in the above-referenced matter has both requested a continuance of the presently-scheduled hearing on April 28, 2009, and has submitted certain "Supplemental Materials" to the Board, which include amended plans and a statement that the Applicant intends to present its case in chief at the public hearing on April 28, 2009. Although the Supplemental Materials filed with the Board on April 14, 2009 were served on the two other parties in opposition in this matter, neither filing has been served on the Advisory Neighborhood Commission, as required by the Board's Rules of Procedure.

The Applicant has not made any attempt to contact the Advisory Neighborhood Commission since this case was dismissed in 2006. The ANC, having only obtained the Supplemental Materials on April 16, has not had sufficient time to consider them at a public meeting and provide a written report at least seven (7) days in advance of the public hearing, as required by 11 DCMR § 3115. Our most recent meeting was April 13, 2009.

The ANC has previously voted against the applicant's 2006 plans, and is on record with this Board as opposing the project. We hereby request that no action be taken on this application until the ANC is properly served and has had the opportunity to consider this matter in accordance with the applicable District of Columbia law and regulations, including the Advisory Neighborhood Commissions Act and the Board's Rules of Procedure (11 DCMR, Chapter 31). In the event the matter is heard on April 28, 2009, we hereby request that the Board waive the requirement of 11 DCMR § 3115 (the ANC must file a written report within 7 days of the public hearing) to allow the ANC to file a revised report in this matter once it has given proper consideration to the application.

ON BEHALF OF THE COMMISSION.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mike Silverstein", is centered below the word "Sincerely,". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mike Silverstein  
Chairman

cc: George Keys, Jr  
Henry Rothmann  
Kinley Bray