

**DISTRICT OF COLUMBIA
Board of Zoning Adjustment**

**KOO YUEN T/A EUCLID OF VIRGINIA, INC.
3710 Minnesota Avenue, N.E.
Washington, D.C. ,**

Appellant,

v.

**DISTRICT OF COLUMBIA DEPARTMENT
OF CONSUMER AND REGULATORY AFFAIRS,**

Appellee.

Appeal No. 17725

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D.C. OFFICE OF ZONING
2008 JUL 28 PM 4: 28**

APPELLANT'S CONSENT MOTION FOR CONTINUANCE

Euclid of Virginia, Inc. (Appellant) requesting a continuance of the matter now set for a hearing on July 29, 2008. Appellant is challenging the Zoning Administrator's decision to deny use of the premises as a gasoline station at 3710 Minnesota Ave. N.E. (Sq. 5048, Lot 810) without first obtaining a special exception from the Board of Zoning Adjustment.

Appellant has contacted the Department of Consumer and Regulatory Affairs (Appellee) requesting consent to this Motion for Continuance (collectively the "Parties"). Appellee has consented to this motion. On July 28, 2008, the Parties attempted to contact Advisory Neighborhood Commission 7A (ANC 7A) via telephone, but was unsuccessful. The Parties also electronically sent a copy of this Motion to ANC 7A.

The basis for this motion is that the Parties have entered into a settlement agreement that would resolve the matter pending before this tribunal. Pursuant to the July 14, 2008 settlement agreement, Appellant is required to apply for a Special Exception. Appellant is waiting for

Board of Zoning Adjustment
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EXHIBIT NO. 166

**BOARD OF ZONING ADJUSTMENT
District of Columbia**

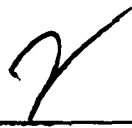
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additional documents from the Office of Tax and Revenue in order to complete its Special Exception application.

It is requested that this matter be continued and scheduled for the next available hearing date.

Respectfully submitted,

Dated: July 28, 2008



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(301) 464-4776
E-mail: tfd@erols.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of July 2008, a copy of the foregoing Consent Motion for Continuance was served via first class mail and electronically to:

ANC 7-A Commissioner Pride Hiett
Advisory Neighborhood Commission
3111 E Street, S.E.
Washington, D.C. 20019
7A03@ANC.dc.gov

Assistant Attorney General Doris A. Parker-Woolridge
and Assistant Attorney General Shakira Pleasant
Department of Consumer and Regulatory Affairs
Office of the General Counsel
941 North Capitol Street, NE
Suite 9400
Washington, DC 20002
Attorney for Appellee
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Thomas F. DeCaro, Jr.

Fax Transmission Sheet
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DeCaro & Howell, P.C.

14406 Old Mill Rd. Sw. 201
Upper Marlboro, MD 20772

Confirm Initials

4:20 pm

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Page(s)

July 28, 2008

phone/fax 301-464-1400/4776

To: Beverly Baily

Subj: **3710 Minnesota Ave Joint Motion for Continuance**

Fax No. 202-727-6072

Attached please find the Motion for Continuance. Thank You.

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